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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, July 8, 2008 2:00 PM

Regular Meeting

DOCUMENTS DEPT

JUL - 7 2008

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AARON PESKIN, PRESIDENT

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BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía del viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the May 20, 2008 and June 3, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

1. 080662 [Fees for Processing a Redemption of Tax Defaulted Property or a Secured Property Tax Second Installment Delinquency Notice]
Mayor, Supervisor McGoldrick
Ordinance amending the San Francisco Administrative Code by amending Section 8.34.1, to authorize the Tax Collector to charge a fee of \$55.00 to cover the cost of processing a redemption of property that is in default due to the failure to pay property tax and a fee of \$45.00 to cover the cost of processing a delinquency notice on the second installment of each separate valuation on the secured property tax roll, and to provide for an automatic adjustment of the fees for inflation.

6/24/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Chu

2. 080277 [Administrative Code Chapter 6 - technical amendments and amendments to contracting procedures]
Supervisor Chu
Ordinance amending San Francisco Administrative Code Chapter 6 to correct typographical errors in Subsections 6.22(B) and 6.22(H)(2)(d), to clarify and revise Subsection 6.22(J) concerning retention of progressive payments, to clarify and revise Subsection 6.23(C) concerning the rejection or failure of bids, to revise Section 6.61 concerning design-build contracting procedures, and to add a new Section 6.28 authorizing the use of integrated project delivery.
- 6/24/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 080697 [Unrepresented Employees]
Mayor
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2008.
- 6/24/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy, McGoldrick

4. 080613 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted or stayed]
Mayor, Supervisor Alioto-Pier
Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.
- 6/24/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, McGoldrick

5. 080614 [Extending the Expiration date of the MBE/WBE/LBE Ordinance]
Mayor, Supervisor Alioto-Pier
Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

6/24/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

6/24/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Duffy, McGoldrick

6. 080643 [City Elections In Even-Numbered Years]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

6/24/2008, CONTINUED. Continued to July 8, 2008

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

7. 080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

6/17/2008, CONTINUED. Continued to June 24, 2008

6/24/2008, CONTINUED. Continued to July 8, 2008

Question: Shall this Charter Amendment be SUBMITTED?

8. 080620 **[Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]**

Supervisor McGoldrick

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

6/17/2008, CONTINUED. Continued to June 24, 2008

6/24/2008, CONTINUED. Continued to July 8, 2008

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

9. 080718 [Approval of FY08-09 Expenditure Plan for the Human Services Care Fund]
Resolution approving the FY08-09 Expenditure Plan for the Human Services Care Fund.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

10. 080764 [Ratification of increases to prior professional service contracts for health and behavioral health services - \$51,433,291]
Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the amounts of five of those contracts.
(Public Health Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd, Chu

11. 080768 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]
Mayor
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: convention facilities management, central shops security, janitorial and security services (Administrative Services); body removal services (Medical Examiner); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); absentee voter ballot distribution (Department of Elections); security services (Human Services Agency); shelter and intake for status offenders (Juvenile Probation); Project S.A.F.E. (Police); jail food services (Sheriff); and mainframe system support (Telecommunications and Information Services).

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

12. 080736 [Planning Code- Modifying the fee refund provisions for inclusionary housing projects] Mayor
Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 080828 [Public Education Enrichment Fund - First Five Commission] Supervisor McGoldrick
Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.

Question: Shall this Resolution be ADOPTED?

14. 080719 [Building Code - fee adjustment]
Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions.
(Building Inspection Department)

5/30/2008, SUBSTITUTED. Department of Building Inspection submitted substitute ordinance bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 080653 [Accept-Expend Ryan White HIV/AIDS Treatment Modernization Act Grant - \$4,758,228] Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a one-time funding award of Ryan White Part A (RWPA) funds for the San Francisco Eligible Metropolitan Area (SF EMA) in the amount of \$4,758,228 from the Health Resources and Services Administration (HRSA) to support HIV Health Services; for the period of July 1, 2007 through February 29, 2008.

Question: Shall this Resolution be ADOPTED?

16. 080674 [IHSS Contract Approval - \$51,433,291]
Resolution to amend Resolution # 644-05 approved on August 18, 2005 approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291.
(Human Services Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

17. 080734 [Proposition J Contract/Janitorial Services for 875 Stevenson Street]
Mayor
Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees.
(Supervisors Daly and Mirkarimi dissented in committee.)
- Question: Shall this Resolution be ADOPTED?
18. 080762 [Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]
Mayor
Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees.
(Supervisors Daly and Mirkarimi dissented in committee.)
- Question: Shall this Resolution be ADOPTED?
19. 080829 [Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]
Supervisor McGoldrick
Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-2009.
- Question: Shall this Resolution be ADOPTED?
20. 080522 [Authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission]
Supervisor Mirkarimi
Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.
- Question: Shall this Motion be APPROVED?
- (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2008 nor later than August 1, 2008.)
21. 080728 [Redevelopment Agency Budget 2008-2009]
Mayor
Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009.
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?

22. 080730 [Treasure Island Development Authority Budget 2008-2009]
Mayor
Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2008-2009.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

23. 080660 [Zoning - Urgency Ordinance Extending An Interim Zoning Moratorium On Enterprises That Sell Tobacco Paraphernalia]
Supervisor Sandoval
Urgency Ordinance extending an interim zoning moratorium for six (6) months, to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell Tobacco Paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts, and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

24. 080782 [Appointment, Commission of Animal Control and Welfare - Laurie Kennedy-Routhie]
Motion appointing Laurie Kennedy-Routhie, term ending April 30, 2010 to the Commission of Animal Control and Welfare.
Laurie Kennedy-Routhie succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

25. 080852 [Appointment, Police Commission - David Onek]
Motion confirming the Mayor's nomination of, and appointing, David Onek to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012.
(Mayor)
(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 12, 2008.)

Question: Shall this Motion be APPROVED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

26. 080638 [Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission]
Supervisors Alioto-Pier, Ammiano, Dufty
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.
(Supervisor Daly dissented in committee.)

Question: Shall this Charter Amendment be SUBMITTED?

27. 080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; priorities for use of Port funds]
Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

5/21/2008, SUBSTITUTED. Amendment of the Whole (Second Draft), new title.

30 days begins upon receipt of Charter Amendment approved as to form and a legislative digest.

6/10/2008, SUBSTITUTED. Supervisor Maxwell submitted a substitute charter amendment bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?

28. 080642 [Number of signatures required to qualify a recall petition]
Supervisor McGoldrick
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Daly, Ammiano

29. 080645 **[Prohibition on City employees serving as members of Charter boards and commissions]**
 Supervisor McGoldrick
 Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week)

30. 080851 **[Appointment of the City Treasurer; City Elections in Even-numbered Years]**
 Supervisor McGoldrick
 Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.**

31. 080513 [Hearing - Street Vacation Order of Hunters Point Shipyard]
Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance.

Action: _____

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

32. 080512 [Hunters Point Shipyard - Street Vacation Order]
Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

6/3/2008, CONTINUED. Continued to a public hearing on July 8, 2008 at 4:00 p.m

Question: Shall this Ordinance be PASSED ON FIRST READING?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, July 7, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 8, 2008

33. 080566 [Approving an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative Code and Environment Code]
Supervisors Peskin, Dufty
Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed \$1,700,000 from the City and an additional \$1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 080800 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 080801 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 080802 [MOU, Amendment No. 2 - Service Employees International Union, Local 1021]
Mayor
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 080803 [MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 080804 [MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 080805 [MOU, Amendment No. 1 - Municipal Attorneys' Association]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 080806 [MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 080807 [MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 080808 [MOU, Amendment No. 1 - Teamsters, Local 350]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
43. 080809 [MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
44. 080810 [MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]
Mayor
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
45. 080811 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
46. 080812 [MOU, Amendment No. 2 - Municipal Executives' Association]
Mayor
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 080813 [MOU, Municipal Executives' Association - Fire]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 080814 [MOU, Municipal Executives' Association - Police]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

50. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 51 through 53

51. 080910 [State grant to support environmental health pest exclusion activities - \$47,694.36]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.
- 6/24/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
52. 080911 [Grant to support HIV research study - \$31,724]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$31,724 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2008 through January 31, 2009.
- 6/24/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
53. 080912 [Urging a Federal Employment Non-Discrimination Act that includes gender identity protections]
Supervisors Dufty, Ammiano
Resolution urging a Federal Employment Non-Discrimination Act that includes gender identity protections.
- 6/24/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 17, 2008 to June 30, 2008, for reference by President to appropriate committee on July 8, 2008.

- 080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]
Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53.
(Public Works Department)
(Fiscal Impact.)

6/2/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

6/24/2008, SUBSTITUTED. Public Works Department submitted a substitute ordinance bearing new title.

6/24/2008, ASSIGNED to Government Audit and Oversight Committee.

080845 [Changing the official sidewalk width - Golden Gate Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

6/23/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080896 [Settlement of Lawsuit - City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco and the People of the State of California, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, against Pravin Dahy Abhai Patel, George Patel, and Sanjay Patel in exchange for an agreement to rescind the notice of withdrawal submitted pursuant to Government Code section 7060(a); the lawsuit was filed on July 12, 2006, in San Francisco Superior Court, Case No. CGC- 06-454092; entitled City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al; other material terms of said settlement are set forth in the Settlement Agreement contained in Board of Supervisors File No. 080896.
(City Attorney)

6/20/2008, RECEIVED AND ASSIGNED to Rules Committee.

080897 [Settlement of Lawsuit - Schram Construction, Inc. - \$722,104.09]

Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. ("Schram") against the City and County of San Francisco (the "City") seeking \$1,000,000; the lawsuit was filed on June 23, 2006 in the Superior Court of the City and County of San Francisco, Case No.CGC-06-453479, entitled Schram Construction, Inc., v. City and County of San Francisco; other material terms of said settlement are: 1) The City will pay a total of \$722,104.09 to Schram; 2) Schram will indemnify the City against potential legal claims and/or lawsuits from subcontractors and suppliers; 3) All warranties not yet expired will remain in full force and effect; and 4) The City reserves all rights relating to latent defects.
(City Attorney)

6/25/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 17, 2008 to June 30, 2008, for reference by President to appropriate committee on July 8, 2008.

080797

[Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]
Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Seismic Compliance Hospital Replacement Program; adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53.
(Public Works Department)
(Fiscal Impact)

4/2/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee

8/24/2008, ASSIGNED to Government Audit and Oversight Committee

6/24/2008, SUBSTITUTED Department of Public Works submitted a substitute resolution bearing new title.

080550 [Petitions and Communications #1]

Petitions and Communications received from June 17, 2008 through June 30, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 8, 2008, Part 1 (Item 1 –60).

From Office of the Treasurer & Tax Collector, submitting appointment notification of Rosabella Safont to the Elections Commission. Copy: Each Supervisor. (1)

From Office of the Clerk of the Board, submitting information regarding the Diversity Tracking System for fiscal year 2007-2008, in accordance with Administrative Code Section 12D.A.18(D). (2)

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (6)

Civil Service Commission
Office of the Clerk of the Board
Department of Human Resources
Employees' Retirement System
Recreation & Park Department
Department of Telecommunications and Information Services

From Police Department – Administration Bureau, responding to the Office of the Clerk of the Board's inquiry regarding current limitations to GIS crime mapping system and future expectations. (Reference 20080506-004) (4)

From Department of Human Resources, responding to Supervisor Mirkarimi's inquiry requesting a survey letter to all qualifying City Employees retiring under Proposition B. (Reference 20080513-007) (5)

From Supervisor Peskin, submitting notification of nomination of Rafael Mandleman to serve on the Board of Appeals. (6)

From Police Department - Administration Bureau, responding to Supervisor Ammiano's inquiry request for information regarding Immigration and Customs Enforcement (ICE) activities possibly related to San Francisco. (Reference 20080520-004) (7)

From Office of the Controller - City Services Auditor, submitting report on Airport Commission: Concession Audit of Luna Azul Corporation, dba Jalapeno Mexican Grill. (8)

From Office of the Controller - City Services Auditor, submitting report on Airport Commission: Concession Audit of The Hertz Corporation. (9)

From various City Departments, submitting Human Rights Commission - Waiver Request form: (10)

Department of Public Health (1 form)
Human Services Agency (1 form)
Office of the Public Defender (1 form)
Airport Commission (3 forms)
Recreation and Park Department (1 form)

From concerned citizens, commenting on San Francisco Zoo policies and oversight. File 080818. Copy: Each Supervisor, 8 letters. (11)

From Office of the Controller - City Services Auditor, submitting report on Airport Commission: Compliance Audit of American Eagle Airlines, Inc. (12)

From various organizations, urging the Board to reconsider the Department of Public Health's proposed budget eliminating or reducing medical services. File 080722, Copy: Each Supervisor, 2 letters. (13)

From Office of the Controller, submitting two presentations on the Department of Public Health's Revenue Maximization Project and a final report on the implementation of select recommendations based on that assessment. (14)

From U.S. Army Corps. of Engineers, submitting public notice regarding trial implementation period for Western Mountains & Valleys Interim Regional Supplement. (15)

From U.S. Army Corps. of Engineers, submitting public notice regarding notice of intent and notice of preparation for a Joint Supplemental Impact Statement and Subsequent Environmental Impact Report for Sacramento River Deep Water Ship Channel. (16)

From Office of the Controller, responding to Supervisor McGoldrick's request to survey the salary paid to executive directors working for non-profit agencies that contract with the City. (Reference 20080415-001) (17)

From concerned citizens, opposing to the proposed ordinance adjusting existing Library fees. File 080749, Copy: Each Supervisor, 2 letters. (18)

From concerned citizens, urging the Board to reconsider the Department of Public Health's proposed budget eliminating or reducing medical services. File 080722, Copy: Each Supervisor, approximately 200 letters. (19)

From concerned citizens, submitting support to the proposed Charter Amendment regarding establishing an independent Landmarks Preservation Board. File 080650, Copy: Each Supervisor, 9 letters. (20)

From Medium Femme, commenting on the proposed ordinance regarding Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor. (21)

From Office of the Controller, submitting a memorandum regarding the Center for Academic Re-entry and Empowerment (CARE) program analysis. (22)

From Donna Sharee, opposing to the revocation of permit for U.N. Plaza Farmer's Market. File 080732, Copy: Each Supervisor. (23)

From concerned citizen, submitting a copy of a notification regarding filing of Pacific Gas & Electric Company (PG&E) application for approval of its 2009-2011 demand response programs and budget. (24)

From Janette Barroca, commenting on same sex marriage. (25)

From Paul H. Carlisle, MPT, GCS, urging the Health Commission to recommend the Mayor's Office withdraw its request to cut additional positions at Laguna Honda Hospital and Rehabilitation Center. Copy: Each Supervisor. (26)

From U.S. Department of the Interior - Bureau of Land Management, regarding public comment period on a Draft Programmatic Environmental Impact Statement (PEIS) for leasing Federal geothermal resources in the Western States and Alaska. (27)

From John Jenkel, submitting Abuse News #3892 regarding United States military forces in Iraq. (28)

From Office of the Controller, submitting Public Education Enrichment Fund Annual Report 2008-2009. (29)

From L. Espana, urging the Board to create a fast, free and publicly owned fiber optic and wireless communications network for the City. (30)

From Department of Public Health – Mission Mental Health Services, submitting petition urging the Board to reconsider the elimination of the County Sheriff's contract with the Department of Public Health. File 080768, Copy: Each Supervisor. (31)

From Coalition on Homelessness San Francisco, commenting on homeless issues and concerns with the proposed budget for Department of Public Health and Human Service Agency. (32)

From Susan S. Bronstein, commenting on budget issues and concerns relating to health care services. Copy: Supervisor McGoldrick. (33)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 10:45a.m. on Friday, June 20, 2008 until 5:10p.m. on Monday, June 23, 2008. Copy: Each Supervisor. (34)

From Joseph Latimore, submitting a request for Type 42 liquor license for Gallery Sensei, at 251 Rhode Island Street. (35)

From Colleen Fernald, regarding the impact of tax dollars for the Iraq war on the City's budget. (36)

From U.S. Army Corps of Engineers, submitting public notice regarding Notice of Intent and Notice of Preparation for a Joint Supplemental Environment Impact Statement and Subsequent Environmental Impact Report for the Sacramento River Deep Water Ship Cannel, CA. (37)

From Planning Department, regarding Transmittal of Planning Department Case Number 2007.0168TZ. Files 080691, 080692 and 080693, Copy: Each Supervisor. (38)

From Office of the Sheriff Administration, responding to Supervisor Elsbernd's inquiry regarding the issue of expanding jail alternative programs. (Reference 20080603-005, 20080603-006) (39)

From Office of the Mayor, responding to Supervisors' inquiry regarding the possible creation of a green and sustainable home improvement district along Bayshore Boulevard. (Reference 20080429-005) (40)

From Department of Public Works, responding to Supervisor Ammiano's inquiry regarding monitoring of street construction sites, specifically related to the requirement that steel plates being coated with a "non-skid" product. (Reference 20071018-044) (41)

From California Legislature - Senate Rules Committee submitting notice of Governor Schwarzenegger's reappointment of Rosalie Mule as a member of the California Integrated Waste Management Board. Copy: Each Supervisor. (42)

From Office of the Controller - City Services Auditor, submitting Performance and Efficiency Review for the Department of Public Health. (43)

From Mirna Escobar, regarding Woodside Gardens Senior and Disabled Development, 3 letters (44)
From Recreation and Park Department, regarding Roofing Shop/Structural Maintenance. File 080310 (45)

From San Francisco Local Agency Formation Commission, submitting SF LAFCo Work Program for the 2008/09 Fiscal Year. File 080522. (46)

From Roger Kat, commenting on budget restorations to Caduceus Outreach Services. File 080722, Copy: Each Supervisor, 2 letters. (47)

From Santa Clara University, submitting copy of letter to Fire Department regarding Inspector Patrick C. Stranahan. (48)

From Capital Planning Committee, regarding the issuance of Clean Renewable Energy Bonds by the SF PUC, the issuance of Certificate of Participation for the Laguna Honda Hospital Replacement Program, and the FY 2008-2009 Capital Budget Request for the Laguna Honda Hospital Replacement Program. Copy: Each Supervisor (49)

From United Way of the Bay Area, submitting the Memorandum of Understanding for the 2008 Combined Charities Annual Joint Fundraising Drive. (50)

From John Jenkel, submitting Abuse News #3699 regarding United States military forces in Iraq. (51)

From Professional Property Management Association of San Francisco, regarding proposed changes throughout the Department of Building Inspection. (52)

From John Rus, commenting on crime issues. (53)

From SF Homeless Yahoo Group, submitting public comments for the June 19th, 2008 Budget & Finance Committee meeting regarding budget cuts and UN Plaza Farmers Market. File 080733, Copy: Each Supervisor (54)

From Rudy Lara, commenting on the Mayor's Proposed Budget 2008 - 2009. File 080602, Copy: Each Supervisor. (55)

From Malinda Kent-Corson, expressing support for the creation of new bike lanes in the city. (56)

From John Barry, commenting on tree planting. (57)

From Chris Sherrard, submitting opposition to the combustion turbine speaker project. File 080523, Copy: Each Supervisor. (58)

From Office of the Controller, responding to Supervisors' inquiry requesting the Controller quantify direct tax revenue and fees that would be associated with the increase of marriages as a result of the State Supreme Court's ruling on same-sex marriages for both the current and next fiscal years. (Reference 20080610-001) Copy: Each Supervisor. (59)

From United Brotherhood of Carpenters and Joiners of America, submitting a letter to the Director of Contract Administration requesting a response in writing. (60)

080943 [Petitions and Communications #2]

Petitions and Communications received from June 17, 2008 through June 30, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 8, 2008, Part 2 (Item 61 – 98).

From Parkmerced Residents Association, submitting support regarding requiring Assessor to report reductions of real property assessments. File 080527, Copy: Each Supervisor. (61)

From KS Graddy, commenting on restoring safety in San Francisco communities. (62)

From Police Department, responding to Supervisor Ammiano's inquiry regarding search and data limitations of the San Francisco Police Department's GIS-based crime mapping system. (63)

From Stephen Hamber, submitting suggestion to reward for crime information. Copy: Supervisor Ammiano. (64)

From Office of the Controller, regarding Charter Amendment on promoting and sustaining music and culture to San Francisco. File 080649 (65)

From Office of the Controller, regarding Charter Amendment addressing ordinances and resolutions adopted by the Board of supervisors under the Community Redevelopment Law. File 080640. (66)

From Office of the Treasurer, submitting the investment activity of the portfolios under Treasurer's management from July 1, 2007 to May 31, 2008. (67)

From concerned citizen, submitting notification of applications by Pacific Gas and Electric Company to recover increased procurement costs for the remainder of 2008 and forecast 2009. (68)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's inquiry requesting study the feasibility of reducing the speed limit on Lake Merced Boulevard, between Winston Avenue and Higuera Street from 45 mph to 35 mph. (69)

From Maryam Mohit, expressing support of the NERT training. (70)

From Municipal Transportation Agency, submitting a Short Range Transit Plan FY 2008 - 2027, Moving People Forward, adopted January 19, 2008. (71)

From Cal Tilden, commenting on earthquake retrofitting. (72)

From Jason Jungreis, submitting modification proposal to the garbage receptacle ordinance. File 080661. (73)

From Department of Public Works, responding to inquiry regarding garbage receptacle ordinance modifications proposal. File 080661. (74)

From Department of Public Health, responding to Supervisor Sandoval's inquiry regarding Light Brown Apple Moth. (Reference 20080512-004) (75)

From Department of the Environment, submitting status update on Civil Grand Jury report "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions." Copy: Each Supervisor. (76)

From Kimo Crossman, submitting sample text for June 14, 2008 Board of Supervisors' Meeting, 2 letters. (77)

From Planning Department, regarding reschedule of the NCSBT EIR appeal hearing on July 22,

2008 File 080918, Copy: Each Supervisor. (78)

From concerned citizens, commenting on various issues regarding the murder of the Bologna family, 3 letters (79)

From concerned citizens, supporting San Francisco Clean Energy Act. File 080648, Copy: Each Supervisor, 11 letters. (80)

From California Family Resource Association, supporting the reinstatement of \$200,000 funding from the Health and Human Services Agency to the community based APA Family Support Services organization in City. File 080718, Copy: Each Supervisor. (81)

From Charles Warren, commenting on the rebuilding of Camp Mather. (82)

From concerned citizens opposing the library's LINK+ program. File 080749, Copy: Each Supervisor, 2 letters. (83)

From Coalition on Homelessness, commenting on major budget cuts increasing homelessness in San Francisco. File 080722, Copy: Each Supervisor. (84)

From Kimo Crossman, supporting the efforts to stop the increase or new fees and fines at the library. File 080749: Each Supervisor. (85)

From Kimo Crossman, regarding Board of Supervisors' historical posting on-line of full board and committee agendas, 2 letters. (86)

From Supervisor Chris Daly, submitting a letter to Supervisor Alioto-Pier regarding calendaring File 080651 for hearing at the Rules Committee. Copy: Each Supervisor. (87)

From A. Alberto Castillio Abello, urging the Board to restore the budget cuts for mental health services. File 080866. (88)

From Coalition on Homelessness San Francisco, submitting proposal on sources for general revenue savings. File 080602, Copy: Each Supervisor. (89)

From Mayor's Office of Economic & Workforce Development, responding to the Board's inquiry requesting an outline of information and potential options on creating a Home Improvement District along Bayshore Boulevard. (Reference 20080429-003) (90)

From San Francisco Bicycle Advisory Committee, submitting a copy of a letter to Nathaniel Ford, MTA Executive Director requesting a clarification of facts regarding quotations attributed to the SFPD. Copy: Each Supervisor. (91)

From Cem Cakiroglu, commenting on various issues and concerns. (92)

From Municipal Transportation Agency, submitting a letter to Supervisor McGoldrick regarding the importance of 311 Call Center services. Copy: Each Supervisor. (93)

From concerned citizens, opposing the renaming of their sewage treatment plant after President George Bush, 5 letters. (94)

From McCracken & Byers LLP, submitting notice of appeal of Planning Commission's Certification of FEIR regarding Case File No. 2003.0655E – SFPUC New Crystal Springs Bypass Tunnel. (95)

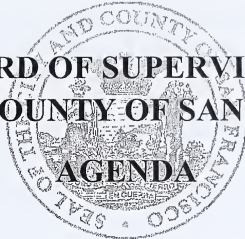
From Ellen Wall, commenting on the Alemany Farmers Market. File 080733, Copy: Each Supervisor. (96)

From Brian Murphy, commenting on a pothole at Market and Van Ness Streets. (97)

From Gwen O'Neill, commenting on the Pedestal Program. File 080765, Copy: Each Supervisor. (98)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



AGENDA

07-11-03P02:44 RCYD

DOCUMENTS DEPT.

Legislative Chamber - Room 250
Tuesday, July 15, 2008 2:00 PM
Regular Meeting

JUL 11 2008
SAN FRANCISCO
PUBLIC LIBRARY

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Duffy, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Duffy

Rules Committee

Supervisors Daly, Duffy, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at softf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

- | | | |
|----|--------|---|
| 1. | 080736 | <p>[Planning Code- Modifying the fee refund provisions for inclusionary housing projects]</p> <p>Mayor</p> <p>Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.</p> |
|----|--------|---|

7/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

2. 080719 [Building Code - fee adjustment]
Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions.
(Building Inspection Department)

5/30/2008, SUBSTITUTED. Department of Building Inspection submitted substitute ordinance bearing same title.

7/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

3. 080780 [Accept-expend federal-state pass through grant - \$1,277,875]
Supervisor Mirkarimi
Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$1,277,875 from the United States Department of Labor for workforce development activities.

Question: Shall this Resolution be ADOPTED?

4. 080825 [Apply for state grant up to \$1,000,000 - Sheriff's Department project to address the needs of mentally ill offenders in the jails]
Supervisor Elsbernd
Resolution authorizing the Sheriff's Department to apply for a 12-month grant in an amount not to exceed \$ 1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.

Question: Shall this Resolution be ADOPTED?

5. 080904 [Accept-expend federal-state pass through grant, Department of Economic and Workforce Development - \$237,254]
Supervisor Mirkarimi
Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$237,254 from the United States Department of Labor passed through the California Employment Development Department for workforce development activities.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Elsbernd

6. 080905 [Accept-expend private grant, Department of Economic and Workforce Development - \$100,000]
Supervisor Mirkarimi
Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$100,000 from the Evelyn and Walter Haas, Jr. Fund for workforce training.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

7. 080566 [Approving an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative Code and Environment Code]
Supervisors Peskin, Duffy, Alioto-Pier
Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed \$1,700,000 from the City and an additional \$1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.
(Fiscal Impact.)

7/8/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 080802 [MOU, Amendment No. 2 - Service Employees International Union, Local 1021]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
9. 080803 [MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
10. 080804 [MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

11. 080805 [MOU, Amendment No. 1 - Municipal Attorneys' Association]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
12. 080806 [MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
13. 080807 [MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
14. 080808 [MOU, Amendment No. 1 - Teamsters, Local 350]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
15. 080809 [MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

16. 080810 [MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
17. 080811 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
18. 080812 [MOU, Amendment No. 2 - Municipal Executives' Association]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
19. 080813 [MOU, Municipal Executives' Association - Fire]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
20. 080814 [MOU, Municipal Executives' Association - Police]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

21. 080734 [Proposition J Contract/Janitorial Services for 875 Stevenson Street]

Mayor

Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees.

(Supervisors Daly and Mirkarimi dissented in committee.)

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Resolution be ADOPTED?

22. 080762 [Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]

Mayor

Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees.

(Supervisors Daly and Mirkarimi dissented in committee.)

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Resolution be ADOPTED?

23. 080766 [De-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating \$2,500,000 to the General Fund for Fiscal Year 2007-2008]

Mayor

Ordinance de-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating \$2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.

6/24/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

24. 080592 [Appropriating \$272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]
Supervisors Maxwell, Peskin
Ordinance appropriating \$272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
6/3/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1.
(Supervisor Alioto-Pier dissented in Committee.)
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.
Continued to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
6/3/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 080577 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.
Continued to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
6/3/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Resolution be ADOPTED?
27. 080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.
(Supervisor Alioto-Pier dissented in Committee.)
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
6/3/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

28. 080512 [Hunters Point Shipyard - Street Vacation Order]
Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

6/3/2008, CONTINUED. Continued to a public hearing on July 8, 2008 at 4:00 p.m

7/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

29. 080638 [Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission]
Supervisors Alioto-Pier, Ammiano, Dufty
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.
(Supervisor Daly dissented in committee.)

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Charter Amendment be SUBMITTED?

30. 080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; priorities for use of Port funds]
Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.
- 5/21/2008, SUBSTITUTED. Amendment of the Whole (Second Draft), new title.
30 days begins upon receipt of Charter Amendment approved as to form and a legislative digest.
6/10/2008, SUBSTITUTED. Supervisor Maxwell submitted a substitute charter amendment bearing new title.
7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?
31. 080642 [Number of signatures required to qualify a recall petition]
Supervisor McGoldrick
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Daly, Ammiano

32. 080645 [Prohibition on City employees serving as members of Charter boards and commissions]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Duffy, McGoldrick

33. 080643 [City Elections In Even-Numbered Years]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

6/24/2008, CONTINUED. Continued to July 8, 2008

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

34. 080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.
- 6/17/2008, CONTINUED. Continued to June 24, 2008
6/24/2008, CONTINUED. Continued to July 8, 2008
7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?
35. 080620 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.
- 6/17/2008, CONTINUED. Continued to June 24, 2008
6/24/2008, CONTINUED. Continued to July 8, 2008
7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?
36. 080851 [Appointment of the City Treasurer; City Elections in Even-numbered Years]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2008 nor later than August 1, 2008.)

37. 080725 [Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]
Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.

(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 080726 [Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]
Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

39. 080922 [Redevelopment Agency Bond 2008-2009]
Resolution approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$202,824,283 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2008-2009.

Question: Shall this Resolution be ADOPTED?

40. 080737 [Planning Department Fee Adjustment]
Mayor, Supervisor Elsbernd
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making Section 302 and environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
41. 080738 [Environmental review fees, Community fee, and related fees]
Mayor
Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to increase environmental review fees 1.63 percent, to adopt a new fee for Determination of Historical Resources, and to increase fees to recover cost of producing area plans from projects in Plan Areas; adding Section 31.24 to adopt new fees for Community Plans; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
42. 080854 [Amendment to Contract with Geomatrix Consultants, Inc.]
Resolution approving an amendment to the contract with Geomatrix Consultants, Inc. to extend the term through June 30, 2009, to modify the scope of services, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,439,000 for environmental consulting services.
(Treasure Island Development Authority)
- Question: Shall this Resolution be ADOPTED?
43. 080793 [Retroactively appropriating \$5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008]
Mayor
Ordinance retroactively appropriating \$3,544,110 of State Proposition 41 grant revenue, \$898,965 of settlement revenue, \$124,218 of revenue from candidate filing fees and other general government charges, and \$1,044,327 of General Fund Reserve, for a total appropriation of \$5,698,066, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
44. 080794 [Appropriating \$16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$16,864,000, including \$15,449,000 in surplus hospital revenues and \$1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating \$5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

45. 080442 [Recreation and Park Department - County Fair Building & Botanical Garden Facility Rental Fees]

Mayor

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 080739 [Chlorofluorocarbon Recovery and Recycling Fees]

Mayor

Ordinance amending Section 1412 of San Francisco Health Code Article 24 to increase fees for permitting and inspections by the Department of Health and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 080740 [Diesel Backup Generator Fees]

Mayor

Ordinance amending Section 2017 of Health Code Article 30 to increase fees for registration applications and regulation of diesel backup generators and add provisions for the Controller to adjust fees annually, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 080741 [Hazardous Materials Fees]

Mayor

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 080742 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 080743 [Hazardous Waste Soil Analysis Fees]
Mayor
Ordinance amending Section 1237 of the San Francisco Health Code to increase fees for hazardous waste soil analysis and add provisions for the Controller to adjust annually, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?
51. 080744 [License and Permit Fees]
Mayor
Ordinance amending the San Francisco Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, 249.7, 249.11, 249.12, 249.13, 249.14, 249.16, and 249.20; and the San Francisco Health Code by amending Sections 258, 1009.54, 1927, and 3304 relating to fees for licenses, permits and inspections by the Department of Public Health.

Question: Shall this Ordinance be PASSED ON FIRST READING?
52. 080745 [Medical Waste Generator Registration, Permitting, Inspections And Fees]
Mayor
Ordinance amending Sections 1504 through 1509, and 1513 and 1514 of San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?
53. 080746 [Risk Management Program Fees]
Mayor
Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?
54. 080747 [Ambulance Permit Fees]
Mayor
Ordinance amending Section 249.8 of the San Francisco Business and Tax Regulations Code to increase annual ambulance permit fees and create a fee for initial ambulance provider permit application; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?
55. 080748 [Health Inspection Fees]
Mayor
Ordinance amending San Francisco Health Code by deleting Sections 609, 609.1, 609.2, and 609.3 and adding new Sections 609, 609.1, 609.2 to impose a fee for vector control and healthy housing inspections, increase fees for reinspections, substitute the lien procedures of Article XX of Chapter 10 of the San Francisco Administrative Code for collection of reinspection fees, and add provisions for the Controller to adjust annually, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 080749 [San Francisco Public Library - Fees]
Mayor
Ordinance making environmental findings and amending the San Francisco Administrative Code by amending Section 8.21-2 to adjust existing Library fees and authorize the Library to collect fees for scanning services, special meeting room services, and lost and damaged interlibrary loan materials. (Supervisors Daly and Mirkarimi dissented in committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
57. 080750 [Recreation and Park Department - Athletic Fields Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the application fee for certification as a non-profit.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
58. 080751 [Recreation and Park Department - Aquatic Facilities Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
59. 080752 [Recreation and Park Department - Facility Rental Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code Section 12.47 to establish rental fees for the use of the Randall Museum and the Harvey Milk Performing Arts Center.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
60. 080753 [Recreation and Park Department - Reservation Administrative Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.45 to establish an athletic field re-scheduling fee.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
61. 080754 [Recreation and Park Department - Coit Tower Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.06 to increase the fees at Coit Tower.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
62. 080755 [Recreation and Park Department - Japanese Tea Garden Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.05 to increase the fees at the Japanese Tea Garden.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

63. 080756 [Recreation and Park Department - Athletic League Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code Section 12.48 to establish fees for the use of Recreation and Park facilities by athletic leagues.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
64. 080757 [Recreation and Park Department - Conservatory of Flowers Facility Rental Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.34, to establish facility rental fees for the Conservatory of Flowers.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
65. 080758 [Fees for Fire Department Services and Permits]
Mayor
Ordinance making environmental findings and amending Sections 105.6.47, 105.6.48, 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, amending Section 112.9 to add an Express Plan Review service, and adding Sections 105.6.50, 112.19, and 112.20 to Appendix Chapter 1 of the San Francisco Fire Code to establish fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2008, whichever is later.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
66. 080759 [Fees for Fire Department Emergency Medical Services]
Mayor
Ordinance making environmental findings and amending Section 128.1 of the San Francisco Health Code to increase fees for certain Fire Department emergency medical services, to eliminate the fee for supplemental supplies, and to modify the language regarding fee changes in subsequent years.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
67. 080761 [Patient Rates]
Mayor
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
68. 080765 [Regulation of Newsracks: Increasing Fixed Pedestal Permit Fee]
Mayor
Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that the annual fee for a fixed pedestal permit shall be \$60.
(Supervisors Daly and Mirkarimi dissented in committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

69. 080708 [Recorder's fee for Social Security Number Truncation Program - \$1.00]
Supervisor Peskin
Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional \$1.00 recording fee to fund the Social Security number truncation program, and making environmental findings.
(Assessor-Recorder)

Question: Shall this Ordinance be PASSED ON FIRST READING?

70. 080733 [Lease of space for cellular transmission at Alemany Farmers' Market Property]
Mayor
Resolution authorizing the lease of space for up to three cellular transmission sites at the property commonly known as the Alemany Farmers' Market located at the corner of Alemany Boulevard and Putnam Street.
(Supervisors Daly and Mirkarimi dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

71. 080264 [Liquor license, One Ferry Building, #29]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Bishara Mudawar for Kabo, LLC, dba Village Market, located at One Ferry Building #29 (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present. Supervisors Peskin, Maxwell

72. 080675 [Approval of a contract amendment with InfoMc, Inc. to support and maintain the eCURA application in use by the Community Behavioral Health Services unit of the Department of Public Health]
- Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into a contract amendment with InfoMc, Inc. for the continued maintenance of proprietary InfoMc, Inc. applications for a new term July 1, 1999 through June 30, 2011.
- (Public Health Department)
- (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

73. 080874 [Urging the State of California to repeal local preemption regarding pesticides]
- Supervisors Alloto-Pier, Mirkarimi, Maxwell, Peskin
- Resolution urging the State of California to repeal the local preemption ban which prohibits local jurisdictions from banning pesticides throughout their city and county limits.

Question: Shall this Resolution be ADOPTED?

74. 080915 [Assessment Ballots for City Parcels, for proposed Yerba Buena Community Benefit District]
- Mayor
- Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of nine parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Yerba Buena Community Benefit District.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Maxwell

75. 080664 [SFGH Trauma Center General Obligation Bonds - \$887,400,000]

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Sandoval, Peskin

Resolution determining and declaring that the public interest and necessity demand the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$887,400,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

76. 080663 [SFGH Trauma Center General Obligation Bond Election - \$887,400,000]

Mayor, Supervisors Ammiano, Maxwell, Alloto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Sandoval, Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4th 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$887,400,000 for the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

77. 071009 [Construction Dust Control]

Supervisors Maxwell, Peskin, Ammiano, Dufty

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

8/7/2007, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

6/24/2008, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

78. 080850 [Zoning - 901 Bush Street Special Use District]

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

79. 080639 [Retirement system credit for unpaid parental leave]

Supervisors Alioto-Pier, Daly, Duffy

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave.

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy

80. 080651 [Policy regarding budget set-asides]

Mayor

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to: (1) establish as official City policy that the voters will not approve new set-asides or other mandated levels of spending without identifying a new funding source for the program, and that the duration and any annual growth in the set-aside or mandated level of spending be limited; and (2) require that the voter information pamphlet include a specific Controller's analysis of the fiscal impact of a proposed new set-aside.

Question: Shall this Charter Amendment be SUBMITTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty

81. 080940 [Appointment, Commission of Animal Control and Welfare]
Motion appointing Dr. David Gordon, term ending April 30, 2010, to the Commission of Animal Control and Welfare.
Dr. David Gordon succeeding Mara Weiss, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Dufty

82. 080972 [Appointment, Commission of Animal Control and Welfare, Christine Garcia]
Motion appointing Christine Garcia, term ending April 30, 2010, to the Commission of Animal Control and Welfare.
Christine Garcia succeeding herself, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

83. 080974 [Appointment, Commission of Animal Control and Welfare, Angela Padilla]
Motion appointing Angela Lucia Padilla, term ending April 30, 2010, to the Commission of Animal Control and Welfare.
Angela Lucia Padilla succeeding Christine Garcia, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 3:30 P.M

84. 080888 [Public Hearing - Appeal of Tentative Final Map for 1420 Turk/1535 Eddy Streets]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 325 unit residential condominium located at 1420 Turk Street and 1535 Eddy Street, Lot 019 in Assessor's Block 0750. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; companion measure to Files 080889, 080890, 080891; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

85. 080889 [Approving the decision of the Director of Public Works and disapproving the Tentative Map for 1420 Turk Street and 1535 Eddy Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

86. 080890 [Disapproving the decision of the Director of Public Works and approving the Tentative Map for 1420 Turk Street and 1535 Eddy Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

87. 080891 [Findings - 1420 Turk Street and 1535 Eddy Street]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4.00 P.M

88. 080892 [Public Hearing - Appeal of Tentative Final Map for 1345 Fillmore Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 330 unit residential condominium located at 1345 Fillmore Street, Lots 018, 20 through 67, in Assessor's Block 0731. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; Companion measure to Files 080893, 080894, 080895; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

89. 080893 [Approving the decision of the Director of Public Works and disapproving the Tentative Map for 1345 Fillmore Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

90. 080894 [Disapproving the decision of the Director of Public Works and approving the Tentative Map for 1345 Fillmore Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

91. 080895 [Findings - 1345 Fillmore Street Tentative Map]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4 29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

92. 080918 [Public Hearing - Appeal of Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project located in unincorporated San Mateo County]
- Hearing of persons interested in or objecting to the Planning Commission's June 5, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2003.0655E, through it's Motion No. 17612, for a proposed San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project, located in unincorporated San Mateo County near Polemus and Crystal Springs Road. (Appellant: Todd A. Aanenson on behalf of the San Mateo Homeowners Association)
(Filed 6/25/08; companion measure to 080919, 080920, 080921.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

93. 080919 [Affirming certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]
- Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Question: Shall this Motion be APPROVED?

94. 080920 [Disapproving certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Question: Shall this Motion be APPROVED?

95. 080921 [Preparation of findings to disapprove certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, July 10, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 15, 2008.

96. 080821 [Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]
Supervisor Daly
Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008.

6/17/2008, SUBSTITUTED. Supervisor Daly submitted a substitute motion bearing new title.

Question: Shall this Motion be APPROVED?

The following items will be considered by the Rules Committee at a Special Meeting on Monday, July 14, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 15, 2008.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

97. 080647 [Commission on the Environment]
Supervisor Mirkarimi

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider and make recommendations regarding environmental justice issues, to authorize the Commission to review and make recommendations regarding City building and land use policies for environmental sustainability, to authorize the Commission to assist City representatives to regional bodies, and to update the list of operations and functions that the Commission shall investigate and make recommendations regarding.

5/21/2008, SUBSTITUTED.

Question: Shall this Charter Amendment be SUBMITTED?

98. 080648 [San Francisco Clean Energy Act]
Supervisor Mirkarimi

Charter Amendment (Fourth Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125.

6/17/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute Charter Amendment bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?

99. 080649 [Promoting and Sustaining Music and Culture in San Francisco]
Supervisors Mirkarimi, Ammiano, Sandoval, Dufty

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by establishing a music and culture sustainability policy implementing those principles in part through a process for reviewing and possibly revising City Codes, and incorporating those principles into the General Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals of denials of entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission.

Question: Shall this Charter Amendment be SUBMITTED?

100. 080650 [Creating an Historic Preservation Commission]
Supervisors Peskin, Ammiano

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.

Question: Shall this Charter Amendment be SUBMITTED?

101. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

102. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

97. 080647 [Commission on the Environment]
Supervisor Mirkarini
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider and make recommendations regarding environmental justice issues, to authorize the Commission to review and make recommendations regarding City building and land use policies for environmental sustainability, to authorize the Commission to assist City representatives to regional bodies, and to update the list of operations and functions that the Commission shall investigate and make recommendations regarding.

5/21/2008, SUBSTITUTED.

Question: Shall this Charter Amendment be SUBMITTED?

98. 080648 [San Francisco Clean Energy Act]
Supervisor Mirkarini
Charter Amendment (Fourth Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125.

6/17/2008, SUBSTITUTED. Supervisor Mirkarini submitted a substitute Charter Amendment bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?

99. 080649 [Promoting and Sustaining Music and Culture in San Francisco]
Supervisors Mirkarini, Ammiano, Sandoval, Dufty
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by establishing a music and culture sustainability policy implementing those principles in part through a process for reviewing and possibly revising City Codes, and incorporating those principles into the General Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals of denials of entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission.

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Question: Shall this Charter Amendment be SUBMITTED?

101. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

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An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 103 through 115

103. 080958 [Commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award]
Supervisor Duffy
Resolution commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
104. 080959 [Commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award]
Supervisor Duffy
Resolution commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
105. 080960 [Commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award]
Supervisor Duffy
Resolution commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
106. 080961 [Commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award]
Supervisor Duffy
Resolution commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

- 107. 080962 [Accept and Expend State Grant - \$47,773]**
Supervisor Dufty
Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds in the amount of \$47,773.00 from the California Department of Food and Agriculture to eliminate a major infestation of invasive weeds in the Twin Peaks Natural Area of San Francisco.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 108. 080963 [Grant to support a drug research study - \$63,210]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$63,210 from the Public Health Foundation Enterprises (PHFE) to support the study entitled "Mirtazapine to reduce methamphetamine use among MSM with high-risk HIV behaviors project;" for the period of June 1, 2008 through May 31, 2009.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 109. 080964 [Declaration of Election Results]**
Supervisor Peskin
Resolution declaring the results of the June 3, 2008 Consolidated Statewide Direct Primary Election.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 110. 080965 [40 day extension for Planning Commission review - Planning Code Enforcement Fund]**
Supervisor Peskin
Resolution extending by 40 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 10.100-166 of the Administrative Code and Section 303(l) to update enforcement provisions of the Planning Code, including fees, and making environmental findings, General Plan findings, and other required findings.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 111. 080966 [Approving Tefra Hearing for On Lok Community Housing Project]**
Supervisor Peskin
Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$30,000,000 to finance and refinance the acquisition, construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by On Lok Senior Health Services and On Lok Community Housing, Inc.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

112. 080967 [Commending Maurice Mabutas on the occasion of his 102nd birthday]
Supervisor Sandoval
Resolution commending Maurice Mabutas on the occasion of his 102nd birthday.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
113. 080968 [60 day extension for Planning Commission review - The Metro Theatre]
Supervisor Alioto-Pier
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
114. 080969 [Creation of transgender health benefits for CalPers]
Supervisors Ammiano, Daly
Resolution endorsing the creation of transgender health benefits for CalPers.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
115. 080970 [Burma Day - August 8, 2008]
Supervisor Ammiano
Resolution declaring August 8th "Burma Day" in San Francisco in honor of the 20th anniversary of the people of Burma's 1988 popular uprising against Burma's military regime.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- Questions on the For Adoption Without Committee Reference Agenda:* _____

116. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 1, 2008 to July 7, 2008, for reference by President to appropriate committee on July 15, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 1, 2008 to July 7, 2008, for reference by President to appropriate committee on July 15, 2008.

- 080957 [WSIP Agreement No. CS-913, Bay Tunnel Project Construction Management Services]
Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-913, Bay Tunnel Project Construction Management Services. (Public Utilities Commission)

7/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080971 [Petitions and Communications]

Petitions and Communications received from July 1, 2008 through July 7, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 15, 2008.

From Department of Public Health, submitting annual 2008 Title XV Evaluation Reports for San Francisco detention facilities. (1)

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (2)

Fire Department
San Francisco International Airport
Department of Public Health
San Francisco Public Utilities Commission

From Department of Elections, submitting June 3, 2008 Consolidated Statewide Direct Primary Certification of Elections Results. (3)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 8:00am on Friday, July 4, 2008 until 7:00pm on Sunday, July 6, 2008. Copy: Each Supervisor, 2 letters. (4)

From Municipal Transportation Agency, responding to Supervisor Sandoval's inquiry requesting the study of appropriateness of installing a crosswalk in front of the Mission YMCA at 4080 Mission Street. (Reference 2080513-001) (5)

From Office of the Controller – City Services Auditor, submitting Office of the Treasurer and Tax Collector: Review of the Statement of Cash and Investments as of December 31, 2007. (6)

From Office of the Controller – City Services Auditor, submitting Department of Public Health: The Nonprofit Organization Baker Places, Inc. and DPH Need to Improve Contract Invoicing Practices. (7)

From Department of Public Health, submitting status report on the implementation of the San Francisco Health Care Security Ordinance. (8)

From Library Citizens Advisory Committee, submitting Library Citizens Advisory Committee's Annual Report. (9)

From Bay Area Water Supply & Conversation Agency, submitting opposition to appeal the Final Environmental Impact Report. File 0080918, Copy: Each Supervisor. (10)

From US Army Corps Of Engineers, submitting public notice regarding Project: Gualala River Gravel Mining. (11)

From Office of the Clerk of the Board, submitting notification that the Clerk of the Board of Supervisors' Office did not receive any gifts in fiscal year 2007-2008. (12)

From Department on the Status of Women, submitting appreciation to the Board on providing addback monies for the Violence Against Women Prevention & Education Grants Program. Copy: Each Supervisor. (13)

From Department of Children Youth & Their Families, submitting proposed amendment to Children's Services Allocation Plan 2007-2010. (14)

From San Francisco Public Utilities Commission, submitting Annual Water Quality Report. (15)

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding "San Francisco Kindergarten Admissions: Back to the Drawing Board." (16)

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding "Fits and Starts: The response of the San Francisco Government to past Civil Grand Jury Recommendations." (17)

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding "Accountability in San Francisco Government." (18)

From Coalition for San Francisco Neighborhoods, submitting a resolution passed by an umbrella alliance of 42 neighborhood organizations strongly supporting the creation of the Office of Independent Ratepayer Advocate. File 080638, Copy: Each Supervisor. (19)

From Francisco Da Costa, submitting various articles from www.franciscodacosta.com regarding Hunters Point Naval Shipyard. 2 letters. (20)

From concerned citizens, opposing to the proposed ordinance relating to Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 2 letters. (21)

From Lost and Found Tenant Association, submitting copies of letters to Housing Authority regarding various concerns. 4 letters. (22)

From concerned citizens, commenting on the proposed ordinance regarding transforming the San Francisco Zoo as a rescue institution and establishing an animal welfare oversight committee. File 080818, Copy: Each Supervisor, approximately 536 letters. (23)

From Planning Department, submitting copies of Motion Numbers 17623 and 17624 and Resolution Number 17625 passed by the Planning Commission, for use as references for Board Files. File 080664 & 080663. (24)

From concerned citizens, commenting on proposed ordinance regarding regulation of newsracks. File 080480, Copy: Each Supervisor, 2 letters. (25)

From concerned citizens, urging the Board to approve the Charter Amendment regarding creating an Office of the Independent Ratepayer Advocate. File 080638, Copy: Each Supervisor, 2 letters. (26)

From Human Services Agency, urging the Board to vote against the proposed ordinance regarding Rental Subsidy Program for low-income families. File 080652, Copy: Each Supervisor. (27)

From Office of the Controller, submitting additional information on the use of the Children's Fund in the Fiscal Year 2008-09. Copy: Each Supervisor. (28)

From Department of Children Youth & Their Families, submitting a summary of the recommendations and discussion of the DCYF major budget changes. (29)

From concerned citizens, urging the Board to vote against the proposed ordinance regarding library fees. File 080749, Copy: Each Supervisor, 2 letters. (30)

From R. Olen, opposing to affirming San Francisco as a sanctuary city. (31)

From Shirley A. Selby, requesting the Board to allocate funds for Sigmund Stern Grove for the dangerous trees to be assessed and to be cut down. (32)

From Gerri Hayes, submitting appreciation to Mayor Newsom and the Board regarding the Mayor's Senior Graduation Ceremony. (33)

From Francisco Da Costa, submitting an article from www.indybay.org. (34)

From Senator Roy Ashburn, forwarding a concerned citizen's letter to the Board regarding renaming sewage treatment plant. (35)

From Davis Langdon, submitting comments to Office of the Controller/Office of Economic Analysis Report: "Mayor's Green Building Requirements: Economic Impact Report (05/21/08)." File 080063. (36)

From Department of Human Resources, submitting Human Rights Commission – Waiver Request form. (37)

From Luce, Forward, Hamilton & Scripps LLP, submitting notification of a filed complaint against the City on behalf of Fillmore Center Associates. Copy: Each Supervisor. (38)

From Sharen Hewitt, requesting assistance from the Board regarding the impending homicide crisis in the City. Copy: Each Supervisor. (39)

From Marianne Schier, commenting on homeownerships in the City. (40)

From Kimo Crossman, regarding the minutes for June 19, 2008 Budget and Finance Committee meeting. (41)

From Denise D'Anne, commenting on single occupancy vehicles relating to pollution. (42)

From Dr. Ahimsa Porter Sumchai, submitting Community First Coalition Digest Number 710 regarding various issues. (43)

From Department of Public Works, regarding status on removing graffiti from public properties at various locations in District 5. (Reference 20080624-002) (44)

From Department of Public Works, regarding status on removing graffiti from phone switch boxes at various locations in District 5. (Reference 20080624-005) (45)

From Patrick Monk, commenting on the Community First Coalition Digest Number 710. (46)

From concerned citizens, commenting on the City's sanctuary ordinance relating to the young Honduran juveniles. 10 letters. (47)

From Mayor Newsom, submitting a letter in regards to File Number 080779 (Resolution Number 299-08), Closure of the Potrero Power Plant. Copy: Each Supervisor. (48)

From concerned citizens, opposing to the new power plants in the Bayview and supporting the Community Choice Energy plan. 44 letters. (49)

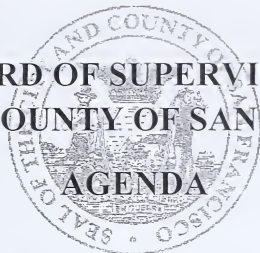
From Ellen Opie, submitting support to the proposal ordinance for reducing unsolicited print publications. File 080380, Copy: Each Supervisor. (50)

From concerned citizens, urging the Board to reconsider the proposal budget cut to APA/APIFRN under Human Services Agency. Copy: Each Supervisor, 3 letters (51)

From E. McMillan, urging the Board to reduce the Discretionary Review fees by the Planning Department. File 080736, Copy: Each Supervisor. (52)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



Legislative Chamber - Second Floor
Wednesday, July 16, 2008 2:00 PM
Special Meeting

DOCUMENTS DEPT.

JUL 15 2008

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AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

1. 080736 [Planning Code- Modifying the fee refund provisions for inclusionary housing projects]
Mayor
Ordinance amending Planning Code Section 315.4 to limit refunds for environmental review, conditional use applications and fees covered in Planning Code Section 352 to only that portion of the housing project which is affordable and to clarify that the refund provision is only available to projects that filed on or after June 18, 2001; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

7/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 080719 [Building Code - fee adjustment]
Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions.
(Building Inspection Department)
- 5/30/2008, SUBSTITUTED. Department of Building Inspection submitted substitute ordinance bearing same title.
- 7/8/2008, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

3. 080780 [Accept-expend federal-state pass through grant - \$1,277,875]
Supervisor Mirkarimi
Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$1,277,875 from the United States Department of Labor for workforce development activities.
- Question: Shall this Resolution be ADOPTED?
4. 080825 [Apply for state grant up to \$1,000,000 - Sheriff's Department project to address the needs of mentally ill offenders in the jails]
Supervisor Elsbernd
Resolution authorizing the Sheriff's Department to apply for a 12-month grant in an amount not to exceed \$ 1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.
- Question: Shall this Resolution be ADOPTED?
5. 080904 [Accept-expend federal-state pass through grant, Department of Economic and Workforce Development - \$237,254]
Supervisor Mirkarimi
Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$237,254 from the United States Department of Labor passed through the California Employment Development Department for workforce development activities.
- Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Chu, Elsbernd*
6. 080905 [Accept-expend private grant, Department of Economic and Workforce Development - \$100,000]
Supervisor Mirkarimi
Resolution authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$100,000 from the Evelyn and Walter Haas, Jr. Fund for workforce training.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present Supervisors Peskin, Maxwell

7. 080566 [Approving an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco and waiving the contracting requirements of the Administrative Code and Environment Code]
Supervisors Peskin, Drifty, Alioto-Pier
Ordinance authorizing the Executive Director of the Port to execute an agreement with Cochran, Inc. to install shoreside power equipment at Piers 27 and 29 of the Port of San Francisco for an amount not to exceed \$1,700,000 from the City and an additional \$1,900,000 to be separately provided by Princess Cruise Lines from the Bay Area Air Management District Carl Moyer Program grant and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.
(Fiscal Impact.)

7/8/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 080802 [MOU, Amendment No. 2 - Service Employees International Union, Local 1021]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
9. 080803 [MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
10. 080804 [MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

11. 080805 [MOU, Amendment No. 1 - Municipal Attorneys' Association]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
12. 080806 [MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
13. 080807 [MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
14. 080808 [MOU, Amendment No. 1 - Teamsters, Local 350]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
15. 080809 [MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.
- 7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

16. 080810 [MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
17. 080811 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
18. 080812 [MOU, Amendment No. 2 - Municipal Executives' Association]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
19. 080813 [MOU, Municipal Executives' Association - Fire]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
20. 080814 [MOU, Municipal Executives' Association - Police]
Mayor, Supervisor Elsbernd
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.

7/8/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

21. 080734 [Proposition J Contract/Janitorial Services for 875 Stevenson Street]
Mayor
Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees.
(Supervisors Daly and Mirkarimi dissented in committee.)
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Resolution be ADOPTED?
22. 080762 [Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]
Mayor
Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees.
(Supervisors Daly and Mirkarimi dissented in committee.)
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Resolution be ADOPTED?
23. 080766 [De-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating \$2,500,000 to the General Fund for Fiscal Year 2007-2008]
Mayor
Ordinance de-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating \$2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.
- 6/24/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

24. 080592 [Appropriating \$272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]
Supervisors Maxwell, Peskin
Ordinance appropriating \$272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Duffy, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1.
(Supervisor Alioto-Pier dissented in Committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.
Continued to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

21. 080734 [Proposition J Contract/Janitorial Services for 875 Stevenson Street]
Mayor
Resolution concurring with the Controller's certification that the janitorial services at 875 Stevenson Street can be performed by private contractor for a lower cost than similar work performed by City and County employees.
(Supervisors Daly and Mirkarimi dissented in committee.)
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Resolution be ADOPTED?
22. 080762 [Proposition J Contract/Security Services for San Francisco General Hospital, Laguna Honda Hospital and Various Clinics]
Mayor
Resolution concurring with the Controller's certification that security services for San Francisco General Hospital, Laguna Honda Hospital and various clinics can be performed by private contractor for a lower cost than similar work performed by City and County employees.
(Supervisors Daly and Mirkarimi dissented in committee.)
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Resolution be ADOPTED?
23. 080766 [De-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating \$2,500,000 to the General Fund for Fiscal Year 2007-2008]
Mayor
Ordinance de-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating \$2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.
- 6/24/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

24. 080592 [Appropriating \$272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]
Supervisors Maxwell, Peskin
Ordinance appropriating \$272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1.
(Supervisor Alioto-Pier dissented in Committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.
Continued to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 080577 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]
Supervisors Maxwell, Duffy, McGoldrick, Peskin
Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.
Continued to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Resolution be ADOPTED?

27. 080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]
Supervisors Maxwell, Duffy, McGoldrick, Peskin
Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.
(Supervisor Alioto-Pier dissented in Committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

28. 080512 [Hunters Point Shipyard - Street Vacation Order]

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance. (Public Works Department)

6/3/2008, CONTINUED. Continued to a public hearing on July 8, 2008 at 4:00 p.m

7/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

29. 080638 [Creating an Independent Ratepayer Advocate to review and recommend utility service rates proposed by the San Francisco Public Utilities Commission]

Supervisors Alioto-Pier, Ammiano, Duffy

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.

(Supervisor Daly dissented in committee.)

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Charter Amendment be SUBMITTED?

30. 080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; priorities for use of Port funds]
Supervisors Maxwell, Alioto-Pier, Aumiano, Duffy
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.
- 5/21/2008, SUBSTITUTED: Amendment of the Whole (Second Draft), new title.
30 days begins upon receipt of Charter Amendment approved as to form and a legislative digest.
6/10/2008, SUBSTITUTED: Supervisor Maxwell submitted a substitute charter amendment bearing new title.
7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?
31. 080642 [Number of signatures required to qualify a recall petition]
Supervisor McGoldrick
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Daly, Ammiano

32. 080645 [Prohibition on City employees serving as members of Charter boards and commissions]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Duffy, McGoldrick

33. 080643 [City Elections In Even-Numbered Years]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

6/24/2008, CONTINUED. Continued to July 8, 2008

7/8/2008, CONTINUED. Continued to July 15, 2008

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

34. 080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.
- 6/17/2008, CONTINUED. Continued to June 24, 2008
6/24/2008, CONTINUED. Continued to July 8, 2008
7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?
35. 080620 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.
- 6/17/2008, CONTINUED. Continued to June 24, 2008
6/24/2008, CONTINUED. Continued to July 8, 2008
7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?
36. 080851 [Appointment of the City Treasurer; City Elections in Even-numbered Years]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.
- 7/8/2008, CONTINUED. Continued to July 15, 2008
Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2008 nor later than August 1, 2008.)

37. 080725 [Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]
Mayor
Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.
(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 080726 [Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]
Mayor
Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

39. 080922 [Redevelopment Agency Bond 2008-2009]
Resolution approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$202,824,283 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2008-2009.

Question: Shall this Resolution be ADOPTED?

40. 080737 [Planning Department Fee Adjustment]
Mayor, Supervisor Elsbernd
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making Section 302 and environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
41. 080738 [Environmental review fees, Community fee, and related fees]
Mayor
Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to increase environmental review fees 1.63 percent, to adopt a new fee for Determination of Historical Resources, and to increase fees to recover cost of producing area plans from projects in Plan Areas; adding Section 31.24 to adopt new fees for Community Plans; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
42. 080854 [Amendment to Contract with Geomatrix Consultants, Inc.]
Resolution approving an amendment to the contract with Geomatrix Consultants, Inc. to extend the term through June 30, 2009, to modify the scope of services, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,439,000 for environmental consulting services.
(Treasure Island Development Authority)
- Question: Shall this Resolution be ADOPTED?
43. 080793 [Retroactively appropriating \$5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008]
Mayor
Ordinance retroactively appropriating \$3,544,110 of State Proposition 41 grant revenue, \$898,965 of settlement revenue, \$124,218 of revenue from candidate filing fees and other general government charges, and \$1,044,327 of General Fund Reserve, for a total appropriation of \$5,698,066, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
44. 080794 [Appropriating \$16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$16,864,000, including \$15,449,000 in surplus hospital revenues and \$1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating \$5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

45. 080442 [Recreation and Park Department - County Fair Building & Botanical Garden Facility Rental Fees]

Mayor

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 080739 [Chlorofluorocarbon Recovery and Recycling Fees]

Mayor

Ordinance amending Section 1412 of San Francisco Health Code Article 24 to increase fees for permitting and inspections by the Department of Health and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 080740 [Diesel Backup Generator Fees]

Mayor

Ordinance amending Section 2017 of Health Code Article 30 to increase fees for registration applications and regulation of diesel backup generators and add provisions for the Controller to adjust fees annually, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 080741 [Hazardous Materials Fees]

Mayor

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 080742 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 080743 [Hazardous Waste Soil Analysis Fees]
Mayor
Ordinance amending Section 1237 of the San Francisco Health Code to increase fees for hazardous waste soil analysis and add provisions for the Controller to adjust annually, and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
51. 080744 [License and Permit Fees]
Mayor
Ordinance amending the San Francisco Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, 249.7, 249.11, 249.12, 249.13, 249.14, 249.16, and 249.20; and the San Francisco Health Code by amending Sections 258, 1009.54, 1927, and 3304 relating to fees for licenses, permits and inspections by the Department of Public Health.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
52. 080745 [Medical Waste Generator Registration, Permitting, Inspections And Fees]
Mayor
Ordinance amending Sections 1504 through 1509, and 1513 and 1514 of San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
53. 080746 [Risk Management Program Fees]
Mayor
Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
54. 080747 [Ambulance Permit Fees]
Mayor
Ordinance amending Section 249.8 of the San Francisco Business and Tax Regulations Code to increase annual ambulance permit fees and create a fee for initial ambulance provider permit application; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
55. 080748 [Health Inspection Fees]
Mayor
Ordinance amending San Francisco Health Code by deleting Sections 609, 609.1, 609.2, and 609.3 and adding new Sections 609, 609.1, 609.2 to impose a fee for vector control and healthy housing inspections, increase fees for reinspections, substitute the lien procedures of Article XX of Chapter 10 of the San Francisco Administrative Code for collection of reinspection fees, and add provisions for the Controller to adjust annually, and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 080749 [San Francisco Public Library - Fees]
Mayor
Ordinance making environmental findings and amending the San Francisco Administrative Code by amending Section 8.21-2 to adjust existing Library fees and authorize the Library to collect fees for scanning services, special meeting room services, and lost and damaged interlibrary loan materials. (Supervisors Daly and Mirkarimi dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
57. 080750 [Recreation and Park Department - Athletic Fields Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the application fee for certification as a non-profit.

Question: Shall this Ordinance be PASSED ON FIRST READING?
58. 080751 [Recreation and Park Department - Aquatic Facilities Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities.

Question: Shall this Ordinance be PASSED ON FIRST READING?
59. 080752 [Recreation and Park Department - Facility Rental Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code Section 12.47 to establish rental fees for the use of the Randall Museum and the Harvey Milk Performing Arts Center.

Question: Shall this Ordinance be PASSED ON FIRST READING?
60. 080753 [Recreation and Park Department - Reservation Administrative Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.45 to establish an athletic field re-scheduling fee.

Question: Shall this Ordinance be PASSED ON FIRST READING?
61. 080754 [Recreation and Park Department - Coit Tower Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.06 to increase the fees at Coit Tower.

Question: Shall this Ordinance be PASSED ON FIRST READING?
62. 080755 [Recreation and Park Department - Japanese Tea Garden Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.05 to increase the fees at the Japanese Tea Garden.

Question: Shall this Ordinance be PASSED ON FIRST READING?

63. 080756 [Recreation and Park Department - Athletic League Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code Section 12.48 to establish fees for the use of Recreation and Park facilities by athletic leagues.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
64. 080757 [Recreation and Park Department - Conservatory of Flowers Facility Rental Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.34, to establish facility rental fees for the Conservatory of Flowers.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
65. 080758 [Fees for Fire Department Services and Permits]
Mayor
Ordinance making environmental findings and amending Sections 105.6.47, 105.6.48, 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, amending Section 112.9 to add an Express Plan Review service, and adding Sections 105.6.50, 112.19, and 112.20 to Appendix Chapter 1 of the San Francisco Fire Code to establish fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2008, whichever is later.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
66. 080759 [Fees for Fire Department Emergency Medical Services]
Mayor
Ordinance making environmental findings and amending Section 128.1 of the San Francisco Health Code to increase fees for certain Fire Department emergency medical services, to eliminate the fee for supplemental supplies, and to modify the language regarding fee changes in subsequent years.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
67. 080761 [Patient Rates]
Mayor
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
68. 080765 [Regulation of Newsracks: Increasing Fixed Pedestal Permit Fee]
Mayor
Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that the annual fee for a fixed pedestal permit shall be \$60.
(Supervisors Daly and Mirkarimi dissented in committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

69. 080708 [Recorder's fee for Social Security Number Truncation Program - \$1.00]
Supervisor Peskin
Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional \$1.00 recording fee to fund the Social Security number truncation program, and making environmental findings.
(Assessor-Recorder)

Question: Shall this Ordinance be PASSED ON FIRST READING?

70. 080733 [Lease of space for cellular transmission at Alemany Farmers' Market Property]
Mayor
Resolution authorizing the lease of space for up to three cellular transmission sites at the property commonly known as the Alemany Farmers' Market located at the corner of Alemany Boulevard and Putnam Street.
(Supervisors Daly and Mirkarimi dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

71. 080264 [Liquor license, One Ferry Building, #29]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Bishara Mudawar for Kabo, LLC, dba Village Market, located at One Ferry Building #29 (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

72. 080675 [Approval of a contract amendment with InfoMc, Inc. to support and maintain the eCURA application in use by the Community Behavioral Health Services unit of the Department of Public Health]
Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into a contract amendment with InfoMc, Inc. for the continued maintenance of proprietary InfoMc, Inc. applications for a new term July 1, 1999 through June 30, 2011.
(Public Health Department)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
73. 080874 [Urging the State of California to repeal local preemption regarding pesticides]
Supervisors Alioto-Pier, Mirkarimi, Maxwell, Peskin
Resolution urging the State of California to repeal the local preemption ban which prohibits local jurisdictions from banning pesticides throughout their city and county limits.
- Question: Shall this Resolution be ADOPTED?
74. 080915 [Assessment Ballots for City Parcels, for proposed Yerba Buena Community Benefit District]
Mayor
Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of nine parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Yerba Buena Community Benefit District.
- Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Maxwell

75. 080664 [SFGH Trauma Center General Obligation Bonds - \$887,400,000]

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Dufty, McGoldrick, Mirkarimi, Sandoval, Peskin

Resolution determining and declaring that the public interest and necessity demand the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$887,400,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

76. 080663 [SFGH Trauma Center General Obligation Bond Election - \$887,400,000]

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Duffy, McGoldrick, Mirkarimi, Sandoval, Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4th 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$887,400,000 for the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

77. 071009 [Construction Dust Control]

Supervisors Maxwell, Peskin, Ammiano, Dufty

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

8/7/2007, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

6/24/2008, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

78. 080850 [Zoning - 901 Bush Street Special Use District]

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

79. 080639 [Retirement system credit for unpaid parental leave]

Supervisors Alioto-Pier, Daly, Duffy

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave.

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy

80. 080651 [Policy regarding budget set-asides]

Mayor

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to: (1) establish as official City policy that the voters will not approve new set-asides or other mandated levels of spending without identifying a new funding source for the program, and that the duration and any annual growth in the set-aside or mandated level of spending be limited; and (2) require that the voter information pamphlet include a specific Controller's analysis of the fiscal impact of a proposed new set-aside.

Question: Shall this Charter Amendment be SUBMITTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

81. 080940 [Appointment, Commission of Animal Control and Welfare]
Motion appointing Dr. David Gordon, term ending April 30, 2010, to the Commission of Animal Control and Welfare.
Dr. David Gordon succeeding Mara Weiss, term expired, seat 7, must be licensed veterinarian, for a two-year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy

82. 080972 [Appointment, Commission of Animal Control and Welfare, Christine Garcia]
Motion appointing Christine Garcia, term ending April 30, 2010, to the Commission of Animal Control and Welfare.
Christine Garcia succeeding herself, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

83. 080974 [Appointment, Commission of Animal Control and Welfare, Angela Padilla]
Motion appointing Angela Lucia Padilla, term ending April 30, 2010, to the Commission of Animal Control and Welfare.
Angela Lucia Padilla succeeding Christine Garcia, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two year term ending April 30, 2010.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

THE SPECIAL ORDER ITEMS WERE HEARD IN BOARD ON TUESDAY, JULY 15, 2008 (items 84-95)

SPECIAL ORDER 3:30 P.M.

84. 080888 [Public Hearing - Appeal of Tentative Final Map for 1420 Turk/1535 Eddy Streets]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 325 unit residential condominium located at 1420 Turk Street and 1535 Eddy Street, Lot 019 in Assessor's Block 0750. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; companion measure to Files 080889, 080890, 080891; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

85. 080889 [Approving the decision of the Director of Public Works and disapproving the Tentative Map for 1420 Turk Street and 1535 Eddy Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

86. 080890 [Disapproving the decision of the Director of Public Works and approving the Tentative Map for 1420 Turk Street and 1535 Eddy Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

87. 080891 [Findings - 1420 Turk Street and 1535 Eddy Street]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4.00 P.M

88. 080892 [Public Hearing - Appeal of Tentative Final Map for 1345 Fillmore Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 330 unit residential condominium located at 1345 Fillmore Street, Lots 018, 20 through 67, in Assessor's Block 0731. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; Companion measure to Files 080893, 080894, 080895; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

89. 080893 [Approving the decision of the Director of Public Works and disapproving the Tentative Map for 1345 Fillmore Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

90. 080894 [Disapproving the decision of the Director of Public Works and approving the Tentative Map for 1345 Fillmore Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

91. 080895 [Findings - 1345 Fillmore Street Tentative Map]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

92. 080918 **[Public Hearing - Appeal of Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project located in unincorporated San Mateo County]**
Hearing of persons interested in or objecting to the Planning Commission's June 5, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2003.0655E, through it's Motion No. 17612, for a proposed San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project, located in unincorporated San Mateo County near Polemus and Crystal Springs Road. (Appellant: Todd A. Aanenson on behalf of the San Mateo Homeowners Association)
(Filed 6/25/08; companion measure to 080919, 080920, 080921.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

93. 080919 **[Affirming certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Question: Shall this Motion be APPROVED?

94. 080920 [Disapproving certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Question: Shall this Motion be APPROVED?

95. 080921 [Preparation of findings to disapprove certification of San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project FEIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Public Utilities Commission New Crystal Springs Bypass Tunnel Project.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, July 10, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 15, 2008.

96. 080821 [Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]
Supervisor Daly
Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008.

6/17/2008, SUBSTITUTED. Supervisor Daly submitted a substitute motion bearing new title.

Question: Shall this Motion be APPROVED?

The following items will be considered by the Rules Committee at a Special Meeting on Monday, July 14, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 15, 2008.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

97. 080647 [Commission on the Environment]**Supervisor Mirkarimi**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider and make recommendations regarding environmental justice issues, to authorize the Commission to review and make recommendations regarding City building and land use policies for environmental sustainability, to authorize the Commission to assist City representatives to regional bodies, and to update the list of operations and functions that the Commission shall investigate and make recommendations regarding.

5/21/2008, SUBSTITUTED

Question: Shall this Charter Amendment be SUBMITTED?**98. 080648 [San Francisco Clean Energy Act]****Supervisor Mirkarimi**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125.

6/17/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute Charter Amendment bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?**99. 080649 [Promoting and Sustaining Music and Culture in San Francisco]****Supervisors Mirkarimi, Ammiano, Sandoval, Dufty**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by establishing a music and culture sustainability policy implementing those principles in part through a process for reviewing and possibly revising City Codes, and incorporating those principles into the General Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals of denials of entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission.

Question: Shall this Charter Amendment be SUBMITTED?

100. 080650 [Creating an Historic Preservation Commission]

Supervisors Peskin, Ammiano

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.

Question: Shall this Charter Amendment be SUBMITTED?

101. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

102. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 103 through 115

103. 080958 [Commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award]
Supervisor Dufty
Resolution commending Kamala Harris on the Bay Area Union Labor Party's 2008 Public Service Award.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
104. 080959 [Commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award]
Supervisor Dufty
Resolution commending Angelo Quaranta on the Bay Area Union Labor Party's 2008 Community Leadership Award.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
105. 080960 [Commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award]
Supervisor Dufty
Resolution commending Tim Paulson on the Bay Area Union Labor Party's 2008 Community Leadership Award.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
106. 080961 [Commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award]
Supervisor Dufty
Resolution commending Cheryl Johnson on the Bay Area Union Labor Party's 2008 Labor Leader of the Year Award.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

- 107. 080962 [Accept and Expend State Grant - \$47,773]**
Supervisor Dufty
Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds in the amount of \$47,773.00 from the California Department of Food and Agriculture to eliminate a major infestation of invasive weeds in the Twin Peaks Natural Area of San Francisco.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 108. 080963 [Grant to support a drug research study - \$63,210]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$63,210 from the Public Health Foundation Enterprises (PHFE) to support the study entitled "Mirtazapine to reduce methamphetamine use among MSM with high-risk HIV behaviors project;" for the period of June 1, 2008 through May 31, 2009.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 109. 080964 [Declaration of Election Results]**
Supervisor Peskin
Resolution declaring the results of the June 3, 2008 Consolidated Statewide Direct Primary Election.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 110. 080965 [40 day extension for Planning Commission review - Planning Code Enforcement Fund]**
Supervisor Peskin
Resolution extending by 40 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 10.100-166 of the Administrative Code and Section 303(l) to update enforcement provisions of the Planning Code, including fees, and making environmental findings, General Plan findings, and other required findings.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 111. 080966 [Approving Tefra Hearing for On Lok Community Housing Project]**
Supervisor Peskin
Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$30,000,000 to finance and refinance the acquisition, construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by On Lok Senior Health Services and On Lok Community Housing, Inc.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

112. 080967 [Commending Maurice Mabutas on the occasion of his 102nd birthday]
Supervisor Sandoval
Resolution commending Maurice Mabutas on the occasion of his 102nd birthday.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
113. 080968 [60 day extension for Planning Commission review - The Metro Theatre]
Supervisor Ahoto-Pier
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
114. 080969 [Creation of transgender health benefits for CalPers]
Supervisors Annunzio, Daly
Resolution endorsing the creation of transgender health benefits for CalPers.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
115. 080970 [Burma Day - August 8, 2008]
Supervisor Annunzio
Resolution declaring August 8th "Burma Day" in San Francisco in honor of the 20th anniversary of the people of Burma's 1988 popular uprising against Burma's military regime.
- 7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

116. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 1, 2008 to July 7, 2008, for reference by President to appropriate committee on July 15, 2008.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 1, 2008 to July 7, 2008, for reference by President to appropriate committee on July 15, 2008.

- 080957 [WSIP Agreement No. CS-913, Bay Tunnel Project Construction Management Services]**
Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-913, Bay Tunnel Project Construction Management Services. (Public Utilities Commission)

7/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080971 [Petitions and Communications]

Petitions and Communications received from July 1, 2008 through July 7, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 15, 2008

From Department of Public Health, submitting annual 2008 Title XV Evaluation Reports for San Francisco detention facilities. (1)

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (2)

Fire Department
San Francisco International Airport
Department of Public Health
San Francisco Public Utilities Commission

From Department of Elections, submitting June 3, 2008 Consolidated Statewide Direct Primary Certification of Elections Results. (3)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 8:00am on Friday, July 4, 2008 until 7:00pm on Sunday, July 6, 2008. Copy: Each Supervisor, 2 letters. (4)

From Municipal Transportation Agency, responding to Supervisor Sandoval's inquiry requesting the study of appropriateness of installing a crosswalk in front of the Mission YMCA at 4080 Mission Street. (Reference 2080513-001) (5)

From Office of the Controller – City Services Auditor, submitting Office of the Treasurer and Tax Collector: Review of the Statement of Cash and Investments as of December 31, 2007. (6)

From Office of the Controller – City Services Auditor, submitting Department of Public Health: The Nonprofit Organization Baker Places, Inc. and DPH Need to Improve Contract Invoicing Practices. (7)

From Department of Public Health, submitting status report on the implementation of the San Francisco Health Care Security Ordinance. (8)

From Library Citizens Advisory Committee, submitting Library Citizens Advisory Committee's Annual Report. (9)

From Bay Area Water Supply & Conversation Agency, submitting opposition to appeal the Final Environmental Impact Report. File 0080918, Copy: Each Supervisor. (10)

From US Army Corps Of Engineers, submitting public notice regarding Project: Gualala River Gravel Mining. (11)

From Office of the Clerk of the Board, submitting notification that the Clerk of the Board of Supervisors' Office did not receive any gifts in fiscal year 2007-2008. (12)

From Department on the Status of Women, submitting appreciation to the Board on providing addback monies for the Violence Against Women Prevention & Education Grants Program. Copy: Each Supervisor. (13)

From Department of Children Youth & Their Families, submitting proposed amendment to Children's Services Allocation Plan 2007-2010. (14)

From San Francisco Public Utilities Commission, submitting Annual Water Quality Report. (15)

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding "San Francisco Kindergarten Admissions: Back to the Drawing Board." (16)

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding "Fits and Starts: The response of the San Francisco Government to past Civil Grand Jury Recommendations." (17)

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding "Accountability in San Francisco Government." (18)

From Coalition for San Francisco Neighborhoods, submitting a resolution passed by an umbrella alliance of 42 neighborhood organizations strongly supporting the creation of the Office of Independent Ratepayer Advocate. File 080638, Copy: Each Supervisor. (19)

From Francisco Da Costa, submitting various articles from www.franciscodacosta.com regarding Hunters Point Naval Shipyard. 2 letters. (20)

From concerned citizens, opposing to the proposed ordinance relating to Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 2 letters. (21)

From Lost and Found Tenant Association, submitting copies of letters to Housing Authority regarding various concerns. 4 letters. (22)

From concerned citizens, commenting on the proposed ordinance regarding transforming the San Francisco Zoo as a rescue institution and establishing an animal welfare oversight committee. File 080818, Copy: Each Supervisor, approximately 536 letters. (23)

From Planning Department, submitting copies of Motion Numbers 17623 and 17624 and Resolution Number 17625 passed by the Planning Commission, for use as references for Board Files. File 080664 & 080663. (24)

From concerned citizens, commenting on proposed ordinance regarding regulation of newsracks. File 080480, Copy: Each Supervisor, 2 letters. (25)

From concerned citizens, urging the Board to approve the Charter Amendment regarding creating an Office of the Independent Ratepayer Advocate. File 080638, Copy: Each Supervisor, 2 letters. (26)

From Human Services Agency, urging the Board to vote against the proposed ordinance regarding Rental Subsidy Program for low-income families. File 080652, Copy: Each Supervisor. (27)

From Office of the Controller, submitting additional information on the use of the Children's Fund in the Fiscal Year 2008-09. Copy: Each Supervisor. (28)

From Department of Children Youth & Their Families, submitting a summary of the recommendations and discussion of the DCYF major budget changes. (29)

From concerned citizens, urging the Board to vote against the proposed ordinance regarding library fees. File 080749, Copy: Each Supervisor, 2 letters. (30)

From R. Olen, opposing to affirming San Francisco as a sanctuary city. (31)

From Shirley A. Selby, requesting the Board to allocate funds for Sigmund Stern Grove for the dangerous trees to be assessed and to be cut down. (32)

From Gerri Hayes, submitting appreciation to Mayor Newsom and the Board regarding the Mayor's Senior Graduation Ceremony. (33)

From Francisco Da Costa, submitting an article from www.indybay.org. (34)

From Senator Roy Ashburn, forwarding a concerned citizen's letter to the Board regarding renaming sewage treatment plant. (35)

From Davis Langdon, submitting comments to Office of the Controller/Office of Economic Analysis Report: "Mayor's Green Building Requirements: Economic Impact Report (05/21/08)." File 080063. (36)

From Department of Human Resources, submitting Human Rights Commission - Waiver Request form. (37)

From Luce, Forward, Hamilton & Scripps LLP, submitting notification of a filed complaint against the City on behalf of Fillmore Center Associates. Copy: Each Supervisor. (38)

From Sharen Hewitt, requesting assistance from the Board regarding the impending homicide crisis in the City. Copy: Each Supervisor. (39)

From Marianne Schier, commenting on homeownerships in the City. (40)

From Kimo Crossman, regarding the minutes for June 19, 2008 Budget and Finance Committee meeting. (41)

From Denise D'Anne, commenting on single occupancy vehicles relating to pollution. (42)

From Dr. Ahimsa Porter Sumchai, submitting Community First Coalition Digest Number 710 regarding various issues. (43)

From Department of Public Works, regarding status on removing graffiti from public properties at various locations in District 5. (Reference 20080624-002) (44)

From Department of Public Works, regarding status on removing graffiti from phone switch boxes at various locations in District 5. (Reference 20080624-005) (45)

From Patrick Monk, commenting on the Community First Coalition Digest Number 710. (46)

From concerned citizens, commenting on the City's sanctuary ordinance relating to the young Honduran juveniles. 10 letters. (47)

From Mayor Newsom, submitting a letter in regards to File Number 080779 (Resolution Number 299-08), Closure of the Potrero Power Plant. Copy: Each Supervisor. (48)

From concerned citizens, opposing to the new power plants in the Bayview and supporting the Community Choice Energy plan. 44 letters. (49)

From Ellen Opie, submitting support to the proposal ordinance for reducing unsolicited print publications. File 080380, Copy: Each Supervisor. (50)

From concerned citizens, urging the Board to reconsider the proposal budget cut to APA/APIFRN under Human Services Agency. Copy: Each Supervisor, 3 letters (51)

From E. McMillan, urging the Board to reduce the Discretionary Review fees by the Planning Department. File 080736, Copy: Each Supervisor. (52)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 22, 2008 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

JUL 18 2008

SAN FRANCISCO
PUBLIC LIBRARY

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbemd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbemd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求

請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the June 10, 2008 and June 17, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20**Recommendations of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

- 1. 080738 [Environmental review fees, Community fee, and related fees]**
Mayor
Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to increase environmental review fees 1.63 percent, to adopt a new fee for Determination of Historical Resources, and to increase fees to recover cost of producing area plans from projects in Plan Areas; adding Section 31.24 to adopt new fees for Community Plans; and making environmental findings.

7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 2. 080794 [Appropriating \$16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2007-2008]**
Mayor
Ordinance appropriating \$16,864,000, including \$15,449,000 in surplus hospital revenues and \$1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating \$5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)

7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu
- 3. 080442 [Recreation and Park Department - County Fair Building & Botanical Garden Facility Rental Fees]**
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

4. 080739 [Chlorofluorocarbon Recovery and Recycling Fees]
Mayor
Ordinance amending Section 1412 of San Francisco Health Code Article 24 to increase fees for permitting and inspections by the Department of Health and making environmental findings.
7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 080740 [Diesel Backup Generator Fees]
Mayor
Ordinance amending Section 2017 of Health Code Article 30 to increase fees for registration applications and regulation of diesel backup generators and add provisions for the Controller to adjust fees annually, and making environmental findings.
7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 080741 [Hazardous Materials Fees]
Mayor
Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; and making environmental findings.
7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 080742 [Hazardous Waste Management Fees]
Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 080743 [Hazardous Waste Soil Analysis Fees]
Mayor
Ordinance amending Section 1237 of the San Francisco Health Code to increase fees for hazardous waste soil analysis and add provisions for the Controller to adjust annually, and making environmental findings.
7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. 080744 [License and Permit Fees]**Mayor**

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, 249.7, 249.11, 249.12, 249.13, 249.14, 249.16, and 249.20; and the San Francisco Health Code by amending Sections 258, 1009.54, 1927, and 3304 relating to fees for licenses, permits and inspections by the Department of Public Health.

7/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 080745 [Medical Waste Generator Registration, Permitting, Inspections And Fees]**Mayor**

Ordinance amending Sections 1504 through 1509, and 1513 and 1514 of San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and making environmental findings.

7/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 080746 [Risk Management Program Fees]**Mayor**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and making environmental findings.

7/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 080747 [Ambulance Permit Fees]**Mayor**

Ordinance amending Section 249.8 of the San Francisco Business and Tax Regulations Code to increase annual ambulance permit fees and create a fee for initial ambulance provider permit application; and making environmental findings.

7/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 080748 [Health Inspection Fees]**Mayor**

Ordinance amending San Francisco Health Code by deleting Sections 609, 609.1, 609.2, and 609.3 and adding new Sections 609, 609.1, 609.2 to impose a fee for vector control and healthy housing inspections, increase fees for reinspections, substitute the lien procedures of Article XX of Chapter 10 of the San Francisco Administrative Code for collection of reinspection fees, and add provisions for the Controller to adjust annually, and making environmental findings.

7/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 080757 [Recreation and Park Department - Conservatory of Flowers Facility Rental Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.34, to establish facility rental fees for the Conservatory of Flowers.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 080758 [Fees for Fire Department Services and Permits]
Mayor
Ordinance making environmental findings and amending Sections 105.6.47, 105.6.48, 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, amending Section 112.9 to add an Express Plan Review service, and adding Sections 105.6.50, 112.19, and 112.20 to Appendix Chapter 1 of the San Francisco Fire Code to establish fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2008, whichever is later.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 080759 [Fees for Fire Department Emergency Medical Services]
Mayor
Ordinance making environmental findings and amending Section 128.1 of the San Francisco Health Code to increase fees for certain Fire Department emergency medical services, to eliminate the fee for supplemental supplies, and to modify the language regarding fee changes in subsequent years.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 080761 [Patient Rates]
Mayor
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2008.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
18. 080708 [Recorder's fee for Social Security Number Truncation Program - \$1.00]
Supervisor Peskin
Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional \$1.00 recording fee to fund the Social Security number truncation program, and making environmental findings.
(Assessor-Recorder)
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

19. 071009 [Construction Dust Control]

Supervisors Maxwell, Peskin, Ammiano, Dufty, Mirkarimi

Ordinance amending the San Francisco Building Code by adding Section 106.3.2.6 to require that all site preparation work, demolition, or other construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil must comply with specified dust control measures whether or not the activity requires a permit from the Department of Building Inspection, with provision for waiver by the Director for activities on sites less than one half acre that are unlikely to result in any visible windblown dust; amending the San Francisco Health Code by adding Article 22B to require, for projects over one half acre, that the project sponsor obtain approval of a dust control plan from the Director of Public Health unless the Director waives these requirements or the project qualifies for an interior only tenant improvement project exemption, and enacting fees to defray the costs of implementation; adopting environmental and general findings.

8/7/2007, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

6/24/2008, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

7/16/2008, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

20. 080850 [Zoning - 901 Bush Street Special Use District]

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by adding Section 249.36 and amending Sheet SU01 of the Zoning Map of the City and County of San Francisco to establish the 901 Bush Street Special Use District in the area generally bounded by Bush Street to the north, Taylor Street to the East, and Assessor's Block 0282 Lots 017 and 022 to the west and south, respectively; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

7/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

21. 080725 [Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]
Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.

(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 080726 [Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]
Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 080728 [Redevelopment Agency Budget 2008-2009]
Mayor
Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009.
(Fiscal Impact.)

7/8/2008, CONTINUED. Continued to July 22, 2008
Question: Shall this Resolution be ADOPTED?
24. 080730 [Treasure Island Development Authority Budget 2008-2009]
Mayor
Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2008-2009.
(Fiscal Impact.)

7/8/2008, CONTINUED. Continued to July 22, 2008
Question: Shall this Resolution be ADOPTED?
25. 080828 [Public Education Enrichment Fund - First Five Commission]
Supervisor McGoldrick
Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.

7/8/2008, CONTINUED. Continued to July 22, 2008
Question: Shall this Resolution be ADOPTED?
26. 080829 [Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]
Supervisor McGoldrick
Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-2009.

7/8/2008, CONTINUED. Continued to July 22, 2008
Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu
27. 080922 [Redevelopment Agency Bond 2008-2009]
Resolution approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$202,824,283 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2008-2009.

7/16/2008, CONTINUED. Continued to July 22, 2008
Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

28. 080749 [San Francisco Public Library - Fees]
Mayor
Ordinance making environmental findings and amending the San Francisco Administrative Code by amending Section 8.21-2 to adjust existing Library fees and authorize the Library to collect fees for scanning services, special meeting room services, and lost and damaged interlibrary loan materials. (Supervisors Daly and Mirkarimi dissented in committee.)
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
29. 080750 [Recreation and Park Department - Athletic Fields Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the application fee for certification as a non-profit.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
30. 080751 [Recreation and Park Department - Aquatic Facilities Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
31. 080752 [Recreation and Park Department - Facility Rental Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code Section 12.47 to establish rental fees for the use of the Randall Museum and the Harvey Milk Performing Arts Center.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
32. 080753 [Recreation and Park Department - Reservation Administrative Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.45 to establish an athletic field re-scheduling fee.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
33. 080754 [Recreation and Park Department - Coit Tower Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.06 to increase the fees at Coit Tower.
- 7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

34. 080755 [Recreation and Park Department - Japanese Tea Garden Fees]
Mayor
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by amending Section 12.05 to increase the fees at the Japanese Tea Garden.

7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
35. 080756 [Recreation and Park Department - Athletic League Fees]
Mayor
Ordinance making environmental findings and adding San Francisco Park Code Section 12.48 to establish fees for the use of Recreation and Park facilities by athletic leagues.

7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
36. 080765 [Regulation of Newsracks: Increasing Fixed Pedestal Permit Fee]
Mayor
Ordinance amending Section 184.12 of the San Francisco Public Works Code to provide that the annual fee for a fixed pedestal permit shall be \$60.
(Supervisors Daly and Mirkarimi dissented in committee.)

7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
37. 080766 [De-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating \$2,500,000 to the General Fund for Fiscal Year 2007-2008]
Mayor
Ordinance de-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating \$2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.

6/24/2008, CONTINUED. Continued to July 15, 2008
7/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu
38. 080737 [Planning Department Fee Adjustment]
Mayor, Supervisor Elsbernd
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making Section 302 and environmental findings.

7/16/2008, AMENDED. Amended on page 8, line 18, by replacing "\$500.00" with "\$300.00" for discretionary appeals."
7/16/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

39. 080793 [Retroactively appropriating \$5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008] Mayor

Ordinance retroactively appropriating \$3,544,110 of State Proposition 41 grant revenue, \$898,965 of settlement revenue, \$210,664 of revenue from candidate filing fees and other general government charges, and \$1,044,327 of General Fund Reserve, for a total appropriation of \$5,698,066, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008. (Fiscal Impact.)

7/16/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/16/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Maxwell

40. 080663 [SFGH Trauma Center General Obligation Bond Election - \$887,400,000]

Mayor, Supervisors Ammiano, Maxwell, Alioto-Pier, Chu, Daly, Duffy, McGoldrick, Mirkarimi, Sandoval, Peskin, Elsbernd

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4th 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$887,400,000 for the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code. (Fiscal Impact.)

7/16/2008, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

**41. 080647 [Commission on the Environment]
Supervisor Mirkarimi**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.118, to clarify the authority of the Commission on the Environment to consider and make recommendations regarding environmental justice issues, to authorize the Commission to review and make recommendations regarding City building and land use policies for environmental sustainability, to authorize the Commission to assist City representatives to regional bodies, and to update the list of operations and functions that the Commission shall investigate and make recommendations regarding.

5/21/2008, SUBSTITUTED.

7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Charter Amendment be SUBMITTED?

**42. 080648 [San Francisco Clean Energy Act]
Supervisors Mirkarimi, Ammiano**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125.

6/17/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute Charter Amendment bearing new title.

7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Charter Amendment be SUBMITTED?

**43. 080649 [Promoting and Sustaining Music and Culture in San Francisco]
Supervisors Mirkarimi, Ammiano, Sandoval, Duffy**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.128, which is designed to promote music and culture in San Francisco by establishing a music and culture sustainability policy implementing those principles in part through a process for reviewing and possibly revising City Codes, and incorporating those principles into the General Plan of the City and County; and amending Section 4.106 to provide that the Board of Appeals shall have jurisdiction to hear appeals of denials of entertainment-related permits and events under the jurisdiction of the Recreation and Park Commission.

7/16/2008, CONTINUED. Continued July 22, 2008

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Daly, Duffy

44. 080639 [Retirement system credit for unpaid parental leave]

Supervisors Alioto-Pier, Daly, Duffy, Amunio, Mirkarimi

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave.

7/16/2008, CONTINUED. Continued to July 22, 2008
Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Duffy, McGoldrick

45. 080643 [City Elections In Even-Numbered Years]

Supervisor McGoldrick

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

6/24/2008, CONTINUED. Continued to July 8, 2008
7/8/2008, CONTINUED. Continued to July 15, 2008
7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

**46. 080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

6/17/2008, CONTINUED. Continued to June 24, 2008

6/24/2008, CONTINUED. Continued to July 8, 2008

7/8/2008, CONTINUED. Continued to July 15, 2008

7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Charter Amendment be SUBMITTED?

**47. 080851 [Appointment of the City Treasurer; City Elections in Even-numbered Years]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by (1) adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, set qualifications for the Office of Treasurer, and setting an operative date; and, (2) amending Sections 2.101, 13.101 and Article XVII to: change the election cycle for the offices of Mayor, Sheriff, District Attorney, and City Attorney so that these offices will be elected in even-numbered years; amend the definition of general municipal election so that such elections occur only in even-numbered years; and, clarify the operation of term limits for members of the Board of Supervisors.

7/8/2008, CONTINUED. Continued to July 15, 2008

7/16/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

Present Supervisors Daly, Duffy, Ammiano

48. 080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements; transfer of funds according to agreements between the Port Commission and other departments; priorities for use of Port funds]
Supervisors Maxwell, Alioto-Pier, Ammiano, Duffy
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.
- 5/21/2008, SUBSTITUTED. Amendment of the Whole (Second Draft), new title.
30 days begins upon receipt of Charter Amendment approved as to form and a legislative digest.
6/10/2008, SUBSTITUTED. Supervisor Maxwell submitted a substitute charter amendment bearing new title.
7/8/2008, CONTINUED. Continued to July 15, 2008
7/16/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
7/16/2008, CONTINUED AS AMENDED. Continued to July 22, 2008 with the Board Sitting as a Committee of the Whole.
Question: Shall this Charter Amendment be SUBMITTED?
49. 080650 [Creating an Historic Preservation Commission]
Supervisors Peskin, Ammiano
Charter Amendment (Fifth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.
- 7/16/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
7/16/2008, CONTINUED AS AMENDED. Continued to July 22, 2008 with the Board Sitting as a Committee of the Whole
Question: Shall this Charter Amendment be SUBMITTED?

Recommendations of the Government and Audit Oversight Committee

Present: supervisors Peskin, Maxwell

50. 080800 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

7/8/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 080801 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]
Mayor
Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

7/8/2008, CONTINUED. Continued to July 22, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

52. 080880 [Recreation and Park Department - Event Fees]
Supervisor McGoldrick
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.22 to amend the fees for use of the parks for events.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Chu

53. 080887 [SFPD MOU for Loan of FBI Vehicles]
Mayor
Ordinance approving a memorandum of understanding between the City and County of San Francisco and the Federal Bureau of Investigations (FBI) for the loan of two Chevrolet Suburban vehicles from the FBI for use in San Francisco Police Department Tactical Company, and waiving the indemnification requirements of the San Francisco Administrative Code Chapter section 4.18 for this agreement, and approving the City indemnifying and holding the FBI harmless against claims arising from the activities of the City under the MOU.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

54. 080875 [Accept-Expend State Grant, Port Commission - \$3,117,512]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$3,117,512 from the California Office of Homeland Security for security enhancements at the Port of San Francisco.

Question: Shall this Resolution be ADOPTED?

55. 080955 [2007-2010 Children's Services Allocation Plan]
Mayor
Resolution approving an amendment to the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

56. 080881 [Recreation and Park Department - Athletic Field Fees]
Supervisor McGoldrick
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36 to amend the Athletic Field Fees.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

57. 080849 [PG&E SmartMeter Upgrade Proposal]
Supervisors Peskin, Dufty, Ammiano, Maxwell, Mirkarimi, Daly, McGoldrick, Sandoval
Ordinance directing the Department of the Environment to conduct a Cost and Climate Review of PG&E's request to the California Public Utilities Commission to spend \$877 million on a SmartMeter upgrade program; and directing the City Attorney, in consultation with the Department of the Environment and Public Utilities Commission, to participate in the CPUC review of PG&E's request; and establishing the City's policy to oppose PG&E's request if the Cost and Climate Review concludes that PG&E's SmartMeter upgrade proposal is not cost effective or that alternative technologies that offer greater benefits should be investigated.
(Fiscal Impact.)

7/8/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

58. 080954 [Planning Code-Amending Article 11 Designation of 690 Market Street]
Supervisor Peskin
Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

59. 080063 [Green Building Requirements]
Mayor, Supervisors Peskin, Sandoval, Maxwell
Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on (1) newly constructed Group R occupancy residential buildings, (2) newly constructed commercial buildings of Group B or M occupancies that are 5,000 gross square feet or more, (3) new first-time build-outs of commercial interiors that are 25,000 gross square feet or more in area buildings of Group B or M occupancies, and (4) major alterations that are 25,000 gross square feet or more in area existing buildings of Group B, M, or R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting (1) City projects, which are subject to Chapter 7 of the San Francisco Environment Code, (2) any new building in which laboratory use of any occupancy classification is the primary use, and (3) any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification, and to authorize the Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility and require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure; imposing additional requirements on demolitions and credits for the reuse of historic structures; providing that the requirements become operative 90 days after adoption if the California Energy Commission has approved it by that time; adopting findings, including environmental findings, and findings required by California Health and Safety Code Section 17958.5, and California Energy Code findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.
(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

60. 080407 [Subdivision Code - definition of conversion]
Supervisor Peskin
Ordinance amending the San Francisco Subdivision Code Section 1308 to modify the definition of conversion to include specified air space subdivisions of existing residential structures; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

61. 080947 [Changing the official sidewalk width - Jessie Street east of 10th Street]
Supervisor Daly
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1579 to change the official sidewalk width on Jessie Street east of 10th Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving public sidewalk easements along the southerly side of Jessie Street.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget and Finance committee at a Special Meeting on Tuesday, July 22, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 22, 2008.

62. 081011 [Appropriating \$498,145 of FY 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice for the Community Justice Center for FY 2008-2009]
Supervisors McGoldrick, Elsbernd, Peskin
Ordinance appropriating \$498,145 of Fiscal Year 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice to fund a Community Justice Center in Fiscal Year 2008-2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, July 21, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 22, 2008.

63. 081012 [Requiring Board of Supervisors' approval of the route for certain athletic events that require temporary street closures]
Supervisors Peskin, Alioto-Pier
Ordinance amending Section 9.11 of the Transportation Code to require Board of Supervisors' approval of the route for an athletic event requiring temporary street closures that has not been held on substantially the same route for three or more years.

Question: Shall this Ordinance be PASSED ON FIRST READING?

64. 081013 [Economic Impact Analysis of Proposed Daytime Street Closure]
Supervisors Peskin, Elsbernd, Alioto-Pier
Resolution directing the Office of Economic Analysis and the Office of Small Business to conduct an analysis of the economic impact of the proposed "Sunday Streets" street closure planned for August 31st and September 14th on local businesses and requesting the City postpone any street closure until such analysis is completed.

Question: Shall this Resolution be ADOPTED?

65. 080791 [Declaration of Policy - Repealing the Emergency Response Fee and Enactment of an Access Line Tax]
Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Motion submitting a policy declaration to the qualified electors of the City and County of San Francisco at the November 4, 2008 election concerning the voter's non-binding recommendation that Article 10A (the Emergency Response Fee) be repealed, that Article 10B (Access Line Tax) be added to the Business and Tax Regulations Code and that the proposed Access Line Tax revenues be expended to support public safety and health by funding San Francisco's 911 Emergency Communications Center.

Question: Shall this Motion be APPROVED?

66. 080792 [Replacing the Emergency Response Fee, with a general tax at the same rates and with the same exemptions and modernizing the Telephone Users Tax without changing the rate or exemptions.]
Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) adding Article 10B, Sections 780-786, to replace the current Emergency Response Fee with a general tax at the same rates and with the same exemptions; (2) repealing Article 10A, Sections 750-770, to eliminate the existing Emergency Response Fee; (3) amending Article 10 by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702 and 707.3, all to modernize and update the Telephone Users Tax without changing the tax rate or exemptions; and (4) amending Article 6, Section 6.1-1, to make conforming changes; and ratifying past collection of the Telephone Users Tax and the Emergency Response Fee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

67. 080827 [To increase rates of Real Property Transfer Tax for sales in excess of \$1 million]
Supervisor McGoldrick
Ordinance amending Section 1102 of Article 12-C of the Business and Tax Regulations Code to increase the Real Property Transfer Tax rate from 0.75% to 1% if value or consideration for transfer exceeds \$1 million but is less than or equal to \$1.25 million, to 1.25% if value or consideration for transfer exceeds \$1.25 million but is less than or equal to \$1.75 million, to 1.5% if value or consideration for transfer exceeds \$1.75 million but is less than or equal to \$2 million, and to 1.75% if value or consideration for transfer exceeds \$2 million.
(Economic Impact)

6/17/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

68. 080832 [Real Property Transfer Tax]
Supervisor Peskin

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds \$5 million; (2) amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies; (3) amending Section 1114 to clarify application of tax to transfers of ownership interests in legal entities that own real estate; and (4) amending Section 1108.3 to apply transfer tax to transfers of 35 year or longer leasehold interests. (Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

69. 080831 [Payroll Expense Tax]
Supervisor Peskin

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by (1) amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities and specifying safe harbor measure of taxable payroll expense for owners of pass through entity (80% of net earnings from self-employment); and (2) amending Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$250,000 or less. (Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

70. 081030 [Payroll Expense Tax]

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by (1) amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities; and specifying safe harbor measure of taxable payroll expense for owners of pass through entity (200% of compensation for its most highly paid quartile of employees); and (2) amending Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$250,000 or less.

Question: Shall this Ordinance be PASSED ON FIRST READING?

71. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

72. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 73 through 84

73. 080970 [Burma Day - August 8, 2008]
Supervisor Annunzio
Resolution declaring August 8th "Burma Day" in San Francisco in honor of the 20th anniversary of the people of Burma's 1988 popular uprising against Burma's military regime.

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/16/2008, CONTINUED. Continued to July 22, 2008
Question: Shall this Resolution be ADOPTED?
74. 081020 [Commending the Ocean View, Merced Heights, Ingleside Neighbors in Action (OMI-NIA) for 20 years of outstanding service to the community, on the occasion of their 20th anniversary]
Supervisor Sandoval
Resolution commending the Ocean View, Merced Heights, Ingleside Neighbors in Action (OMI-NIA) for 20 years of outstanding service to the community, on the occasion of their 20th anniversary.

7/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
75. 081021 [Accept and Expend Regional Grant - \$24,000]
Supervisor Chu
Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of \$24,000 from the Bay Area Air Quality Management District through Sustainable Earth Initiative for the purpose of providing technical assistance to develop, produce and disseminate best management tools for local commercial and municipal fleets' managers about how to reduce their fleets' carbon dioxide and polluting emissions.

7/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

76. 081022 [Calling for FremantleMedia North America to provide its employees with industry standard benefits and to treat its employees with dignity and respect]
Supervisor Duffy
Resolution calling for Fremantlemedia North America to provide its employees with industry standard benefits and to treat its employees with dignity and respect.
- 7/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
77. 081024 [Withdrawing Charter Amendment for November 2008 Election - Affordable Housing Fund]
Supervisor Elsbernd
Motion withdrawing, pursuant to section 370(a) of the Municipal Elections Code, the Board of Supervisors order of submission to the voters a Charter Amendment entitled San Francisco Affordable Housing Fund and Public Accountability.
- 7/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
78. 081025 [Releasing reserve of \$200,000 for maintenance of security cameras for Department of Technology for Fiscal Year 2007-2008]
Supervisor Elsbernd
Motion releasing reserve on funding for Fiscal Year 07-08 in the Department of Technology for maintenance of existing security cameras.
- 7/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
79. 080014 [Final Map - 601 Alabama Street]
Motion approving Final Map 4139, a 34 Residential Unit Condominium Project, located at 601 Alabama Street being a subdivision of Lot 005 in Assessors Block No. 4021 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,626; District 9.)
- 7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
80. 080023 [Final Map - 3740-3742 Geary Boulevard]
Motion approving Final Map 4573, a Four Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 3740 - 3742 Geary Boulevard being a subdivision of Lot 012 in Assessors Block No. 1433 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,635; District 1.)
- 7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

81. 080024 [Final Map - 894-898 Waller Street and 12-16 Broderick Street]
Motion approving Final Map 4313, a 6 Unit Residential Condominium Project, located at 894 – 898 Waller Street and 12 – 14 – 16 Broderick Street being a subdivision of Lot 018 in Assessors Block No. 1240 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,657; District 5.)

7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

82. 080077 [Final Map - 550 18th Street]
Motion approving Final Map 4972, a 35 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 550 18th Street being a subdivision of Lot 044 in Assessors Block No. 3994 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,658; District 10.)

7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

83. 080117 [Final Map - 1018-1022 Pine Street]
Motion approving Final Map 4839, a 8 Unit Residential Condominium Project, located at 1018-1022 Pine Street being a subdivision of Lot 006 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,659; District 3.)

7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

84. 080377 [Final Map - 2829 California Street and 1933 Divisadero Street]
Motion approving Final Map 4631, a 12 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 2829 California Street and 1933 Divisadero Street being a subdivision of Lots 003 and 028 in Assessors Block No. 1028 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,660; District 5.)

7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

85. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 8, 2008 to July 14, 2008, for reference by President to appropriate committee on July 22, 2008.
None.

PROPOSED RESOLUTIONS

Proposed resolution received from July 8, 2008 to July 14, 2008, for reference by President to appropriate committee on July 22, 2008.

080976 [Street Artist Spaces]

Resolution approving designation for six (6) months of nine (9) temporary selling spaces for weekend usage on Market Street, north side, at Steuart Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size and bus zone; said spaces subject to Board of Supervisors review.
(Arts Commission)

7/10/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

81. 080024 [Final Map - 894-898 Waller Street and 12-16 Broderick Street]

Motion approving Final Map 4313, a 6 Unit Residential Condominium Project, located at 894 – 896 – 898 Waller Street and 12 – 14 – 16 Broderick Street being a subdivision of Lot 018 in Assessors Block No. 1240 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

(Public Works Department)

(DPW Order 177,657; District 5.)

7/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

82. 080077 [Final Map - 550 18th Street]

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(Public Works Department)

(DPW Order 177,658; District 10.)

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Question: Shall this Motion be APPROVED?

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(Public Works Department)

(DPW Order 177,659; District 3.)

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Question: Shall this Motion be APPROVED?

84. 080377 [Final Map - 2829 California Street and 1933 Divisadero Street]

Motion approving Final Map 4631, a 12 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 2829 California Street and 1933 Divisadero Street being a subdivision of Lots 003 and 028 in Assessors Block No. 1028 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,660; District 5.)

7/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

85. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

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None.

PROPOSED RESOLUTIONS

Proposed resolution received from July 8, 2008 to July 14, 2008, for reference by President to appropriate committee on July 22, 2008.

080976 [Street Artist Spaces]

Resolution approving designation for six (6) months of nine (9) temporary selling spaces for weekend usage on Market Street, north side, at Steuart Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size and bus zone; said spaces subject to Board of Supervisors review.
(Arts Commission)

7/10/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080443 [Petitions and Communications]

Petitions and Communications received from July 8, 2008 through July 14, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 22, 2008

From Office of the Controller, submitting Controller's Annual Report of Municipal Code-Mandated Fee Reviews & Schedules - FY 2008-09. (1)

From Local Agency Formation Commission, submitting Final Report of Community Choice Aggregation - Suggested Implementation Plan, Request for Qualifications, and Request for Proposal Modification, June 12, 2008. (2)

From concerned citizens, opposing transfer of Election Campaign Fund. File 080769, Copy: Each Supervisor, 7 letters. (3)

From Coalition for San Francisco Neighborhoods, opposing the proposed fee increase for discretionary reviews. File 080737. (4)

From Office of the Clerk of the Board, submitting letters from Mayor Gavin Newsom regarding various appointments to the Public Utilities Commission. Copy: Each Supervisor. (5)

From Trutanich Michel, LLP, urging the City to repeal the Ultracompact Handgun Ordinance. (6)

From Office of the Controller, regarding the proposed Residential Rent Ordinance. File 080821. (7)

From Office of the Controller, commenting on the Treatment on Demand Act. File 080864. (8)

From Office of the Controller, commenting on the Declaration of Policy on Iraq funding. File 080863. (9)

From Office of the Controller, commenting on the proposed initiative ordinance to temporarily ban the installation of PG&E "Smart Meter" until 2/1/2010. File 080865. (10)

From Office of the Controller, commenting on the Transportation Authority Efficiency Initiative Ordinance. File 080868. (11)

From Office of the Controller, commenting on the Community Justice Center. File 080870. (12)

From concerned citizens, opposing the proposed ordinance on the Below Market Rate Condominium Conversion Program. File 080520, 2 letters (13)

From concerned citizens, opposing to the proposed legislation that would increase public library fees. File 080749, Copy: Each Supervisor, 12 letters. (14)

From McCracken & Byers LLP, submitting withdrawal of Appeal of Planning Commission's Certification of the Final Environmental Impact Report for the SFPUC New Crystal Springs Bypass Tunnel Hearing Date on July 15, 2008. File 080918, Copy: Each Supervisor. (15)

From Office of the Clerk of the Board, submitting notification that the Clerk of the Board of Supervisors did not receive any Watch Law Requests during FY 2007-2008. (16)

From SF Public Utilities Commission, regarding Appeal of Planning Commission Certification of the Proposed New Crystal Springs Bypass Tunnel Environmental Impact Report (EIR). Copy: Each Supervisor. (17)

From Dr. Ahimsa Porter Sumchai, regarding SFGH. (18)

From Dr. Ahimsa Porter Sumchai, regarding LENNAR Corporation. (19)

From concerned citizens, opposing the construction of new power plants in the Bay View and instead support the Community Choice Energy Plan. File 080523, Copy: Each Supervisor, 15 letters. (20)

From Nimer Anton Massis, submitting a public convenience and necessity determination for 701 O'Farrell Street. (21)

From Kimo Crossman, submitting concerns about the BOS Budget Committee minutes for 6/19/2008. (22)

From Library Users Association, submitting questions on apparent filing omissions and delays. (23)

From Department of Public Works, regarding status of removing graffiti from the phone switch boxes at various locations in District 5. (Reference 20080624-005) (24)

From Michael Benardo, commenting on Muni to replace their 7000 series coaches. (25)

From United Taxicab Workers, commenting on taxi surcharge or meter increase. (26)

From Christian Holmer, submitting a letter to Ethics Commission Director, John St. Croix, regarding SFSM Audit Non Response. (27)

From Department of Public Works, regarding the status of removing graffiti from public properties at various locations in District 5. (Reference 20080624-002) (28)

From Patrick Dotterweich, commenting on the modified motorcycle muffler noise. (29)

From Francisco Da Costa, submitting articles regarding Hunters Point Naval Shipyard, 2 letters. (30)

From Department of Emergency Management, submitting copy of a letter to Honorable David Ballati regarding response to Civil Grand Jury Report "Fits and Starts: The Response of SF Government to Past Grand Jury Recommendations". Copy: Each Supervisor. (31)

From John Jenkel, submitting Abuse News #3714. (32)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests from John Avalos, Boris Delepine and Lena Gomes. (33)

From Office of the Treasurer, submitting investment activity of the portfolios under Treasurer's management from July 1, 2007 to June 30, 2008. (34)

From various City Departments, submitting list of sole of sole source contracts entered into during fiscal year 2007-2008. (35)

Board of Appeals
Human Services Agency

From Planning Department, submitting Central Subway Project Comments and Responses Document, Department File No. 96.281E. Copy: Each Supervisor. (36)

From Mental Health Board, submitting The Mental Health Board of San Francisco Annual Report for Fiscal Year 07/08. (37)

From Patrick Monette Shaw, commenting on the consolidated Budget and Annual Appropriation Ordinance and Civil Grand Jury Report 2007-08. File 080725, 080925. Copy: Each Supervisor. (38)

From Office of the Controller, regarding the proposed ordinance for Payroll Expense tax. File 080831, Copy: Each Supervisor. (39)

From Office of the Controller, regarding the proposed ordinance for Real Property Transfer Tax. File 080832, Copy: Each Supervisor. (40)

From Coalition for San Francisco Neighborhoods, supporting the proposed Charter Amendment creating the Office of Independent Ratepayer Advocate. File 080638, Copy: Each Supervisor. (41)

From Fire Department, supporting the renaming of the alleys behind the 2200 block of Fillmore Street. File 080873. (42)

From State of California Fish and Game Commission, submitting notice of proposed regulatory action relating to commercial hearing regulations. (43)

From San Francisco Preservation Consortium, supporting the creation of an independent Historic Preservation Commission. File 080650, Copy: Each Supervisor. (44)

From Office of the Controller, regarding the proposed ordinance to increase rates of Real Property Transfer Tax. File 080827, Copy: Each Supervisor. (45)

From Office of the Sheriff Administration, regarding medical and psychiatric treatment of City residents who have been taken custody of the US Immigration and Customs Enforcement. (Reference 20080520-005) (46)

From Morrison & Foerster LLP, submitting a letter to Supervisors Daly, Dufty & Ammiano's regarding Angela L. Padilla's application to Animal Control and Welfare Commission. (47)

From Hearst Corporation, submitting a letter to the SF Chronicle regarding proposal to increase Newsracks Fees on Publishers by 100%. File 080380. (48)

From San Francisco Green Party, urging the reappointment of Christie Garcia to the Animal Control and Welfare Commission. File 080972, Copy: Each Supervisor. (49)

From Donna Sharee, supporting the Clean Energy Act. File 080648, Copy: Each Supervisor. (50)

From Diana Scott, opposing to the proposed PG&E SmartMeter Upgrade proposal. File 080849, Copy: Each Supervisor. (51)

From Deborah Henning, commenting on non-profit agency relating to eviction. (52)

From Ocean Beach Dog Owners Group, regarding HR 6305 Fallout. (53)

From a concerned citizen, opposing to name a sewage plant for President George Bush. (54)

From Glen Balzer, submitting a letter to Senator Barbara Boxer regarding oil and natural gas. (55)

From Planning Department, submitting a copy of comments and responses for the Central Subway Project (Phase 2 of the Third Street Light Rail Project). (56)

APPOINTMENTS BY THE MAYOR

Planning Commission
Michael Antonini
Ron Miguel

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

**City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors**

General Notice

Transmitted: July 18, 2008

A public hearing will be held on July 29, 2008 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Comments may be mailed to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Documents relating to this matter are also available for inspection at the address above.

FILE NO. 080906

**Appeal of Determination of Exemption from Environmental Review for AT&T "Lightspeed"
Telecommunications Network Upgrade**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2008, Case No. 2007.1350E, that the AT&T "Lightspeed" Telecommunications Network Upgrade project is exempt from environmental review under the Categorical Exemption, Class 3 [State CEQA Guidelines Section 15303(d)]. Under the project, AT&T proposes to install up to 850 metal telecommunications cabinets, each measuring approximately 48-inches high, 50-inches wide and 26-inches deep, in the public right-of-way. In addition, AT&T would enlarge some of its existing Serving Area Interface (SAI) cabinets that are now located in the public right-of-way throughout the City. (Appellant: David Crommie on behalf of Cole Valley Improvement Association.)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DOCUMENTS DEPT

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



Legislative Chamber - Second Floor

City Hall, 1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102-4689

Tuesday, July 29, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

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PUBLIC LIBRARY

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the June 24, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Chu

1. 080887 [SFPD MOU for Loan of FBI Vehicles]
Mayor

Ordinance approving a memorandum of understanding between the City and County of San Francisco and the Federal Bureau of Investigations (FBI) for the loan of two Chevrolet Suburban vehicles from the FBI for use in San Francisco Police Department Tactical Company, and waiving the indemnification requirements of the San Francisco Administrative Code Chapter section 4.18 for this agreement, and approving the City indemnifying and holding the FBI harmless against claims arising from the activities of the City under the MOU.

7/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

2. 080578 [Liquor license transfer - 17 Third Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 1701 Taraval Street to 17 Third Street (District 6), to Brian Sheehy for Future Beverage, Inc. dba Cask will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Elsbernd

3. 080910 [State grant to support environmental health pest exclusion activities - \$47,694.36]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$47,694.36 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2007 through June 30, 2008.

7/8/2008, REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

4. 080792 [Replacing the Emergency Response Fee, with a general tax at the same rates and with the same exemptions and modernizing the Telephone Users Tax without changing the rate or exemptions.]
Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) adding Article 10B, Sections 780-786, to replace the current Emergency Response Fee with a general tax at the same rates and with the same exemptions; (2) repealing Article 10A, Sections 750-770, to eliminate the existing Emergency Response Fee; (3) amending Article 10 by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702 and 707.3, all to modernize and update the Telephone Users Tax without changing the tax rate or exemptions; and (4) amending Article 6, Section 6.1-1, to make conforming changes; and ratifying past collection of the Telephone Users Tax and the Emergency Response Fee.

7/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Ammiano, Maxwell

5. 080849 [PG&E SmartMeter Upgrade Proposal]
Supervisors Peskin, Duffy, Ammiano, Maxwell, Mirkarimi, Daly, McGoldrick, Sandoval
Ordinance directing the Department of the Environment to conduct a Cost and Climate Review of
PG&E's request to the California Public Utilities Commission to spend \$877 million on a SmartMeter
upgrade program; and directing the City Attorney, in consultation with the Department of the
Environment and Public Utilities Commission, to participate in the CPUC review of PG&E's request;
and establishing the City's policy to oppose PG&E's request if the Cost and Climate Review
concludes that PG&E's SmartMeter upgrade proposal is not cost effective or that alternative
technologies that offer greater benefits should be investigated.
(Fiscal Impact.)

7/8/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

7/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, Peskin

6. 080407 [Subdivision Code - definition of conversion]
Supervisor Peskin
Ordinance amending the San Francisco Subdivision Code Section 1308 to modify the definition of
conversion to include specified air space subdivisions of existing residential structures; and making
environmental findings.

7/22/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 080947 [Changing the official sidewalk width - Jessie Street east of 10th Street]
Supervisor Daly
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding
thereto Section 1579 to change the official sidewalk width on Jessie Street east of 10th Street; making
environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1;
requiring relocation, modification, or both of facilities affected by the sidewalk width change; and
approving public sidewalk easements along the southerly side of Jessie Street.

7/22/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

8. 080944 [Appointment, Assessment Appeals Board No. 1- Gregory Blaine]
Motion appointing Gregory Blaine, term ending September 6, 2010, to Assessment Appeals Board No. 1.
Gregory Blaine, succeeding Carol Ruth Silver, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 6, 2010.
- Question: Shall this Motion be APPROVED?
9. 080945 [Appointment, Assessment Appeals Board No. 2 - Alfredo Perez]
Motion appointing Alfredo Perez, term ending September 6, 2010, to Assessment Appeals Board No. 2.
Alfredo Perez, succeeding Richard Lee, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 6, 2010.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

10. 080725 [Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]

Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.

(Supervisor Daly dissented in committee.)

(Fiscal Impact.)

7/16/2008, CONTINUED. Continued to July 22, 2008

7/22/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

11. 080726 [Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]

Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Supervisor Daly dissented in committee.)

(Fiscal Impact.)

7/16/2008, CONTINUED. Continued to July 22, 2008

7/22/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

12. 081040 [Budget and Annual Appropriation Ordinance for Municipal Transportation Agency Budget for Fiscal Years 2008-2009 and 2009-2010]
Mayor
Budget and Annual Appropriation Ordinance Appropriating All Estimated Receipts and All Estimated Expenditures for the Municipal Transportation Agency for the Fiscal Year Ending June 30, 2009 and for the Fiscal Year Ending June 30, 2010.

7/22/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
13. 081041 [Annual Salary Ordinance for the Municipal Transportation Agency for Fiscal Years 2008-2009 and 2009-2010]
Mayor
Annual Salary Ordinance for the Municipal Transportation Agency for Fiscal Years 2008-2009 and 2009-2010.

7/22/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
14. 080880 [Recreation and Park Department - Event Fees]
Supervisor McGoldrick
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.22 to amend the fees for use of the parks for events.

7/22/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 081011 [Appropriating \$498,145 of FY 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice for the Community Justice Center for FY 2008-2009]
Supervisors McGoldrick, Elsbernd, Peskin
Ordinance appropriating \$498,145 of Fiscal Year 2007-2008 General Fund Reserve to the Mayor's Office of Criminal Justice to fund a Community Justice Center in Fiscal Year 2008-2009.
(Supervisor Daly dissented in committee.)
(Fiscal Impact.)

7/22/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

16. 080832 [Real Property Transfer Tax]

Supervisors Peskin, Duffy

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds \$5 million; (2) amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies; (3) amending Section 1114 to clarify application of tax to transfers of ownership interests in legal entities that own real estate; and (4) amending Section 1108.3 to apply transfer tax to transfers of 35 year or longer leasehold interests. (Economic Impact)

7/22/2008, PASSED ON FIRST READING. Supervisor Duffy requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Maxwell

17. 080800 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]

Mayor

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

7/8/2008, CONTINUED. Continued to July 22, 2008

7/22/2008, PASSED ON FIRST READING. Supervisor Chu was previously excused from voting on this matter.

Question: Shall this Ordinance be FINALLY PASSED?

18. 080801 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]

Mayor

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

7/8/2008, CONTINUED. Continued to July 22, 2008

7/22/2008, PASSED ON FIRST READING. Supervisor Chu was previously excused from voting on this matter.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

19. 080063 [Green Building Requirements]

Mayor, Supervisors Peskin, Sandoval, Maxwell, Ammiano

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on (1) newly constructed Group R occupancy residential buildings, (2) newly constructed commercial buildings of Group B or M occupancies that are 5,000 gross square feet or more, (3) existing first-time build-outs of commercial interiors that are 25,000 gross square feet or more in area buildings of Group B or M occupancies, and (4) major alterations that are 25,000 gross square feet or more in existing buildings of Group B, M, or R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting (1) City projects, which are subject to Chapter 7 of the San Francisco Environment Code, (2) any new building in which laboratory use of any occupancy classification is the primary use, and (3) any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification, and to authorize the Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility and require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure; imposing additional requirements on demolitions and credits for the reuse of historic structures; providing that the requirements become operative 90 days after adoption if the California Energy Commission has approved it by that time; adopting findings, including environmental findings, and findings required by California Health and Safety Code Section 17958.5, and California Energy Code findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

7/22/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Ammiano requested to be added as a co-sponsor.

7/22/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Board of Supervisors Sitting as a Committee of the Whole

20. 080650 [Creating an Historic Preservation Commission]

Supervisors Peskin, Amunio

Charter Amendment (Sixth Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions.

7/16/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/16/2008, CONTINUED AS AMENDED. Continued to July 22, 2008 with the Board Sitting as a Committee of the Whole

7/22/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/22/2008, CONTINUED AS AMENDED. Continued to July 29, 2008 with the Board Sitting as a Committee of the Whole

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

21. 081030 [Payroll Expense Tax]

Supervisors Peskin, Duffy

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by (1) amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities and specifying safe harbor measure of taxable payroll expense for owners of pass through entity (200% of compensation for its most highly paid quartile of employees, provided entity has at least 4 employees); and (2) amending Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$250,000 or less.

7/22/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Duffy requested to be added as a co-sponsor.

7/22/2008, PASSED ON FIRST READING AS AMENDED. July 29, 2008 the Board will sit as a Committee of the Whole to consider this matter passed on first reading as amended.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Mirkarimi, Daly, Chu

22. 080882 [Lease of Real Property - 1449 Webster Street]
Supervisor Mirkarimi
Resolution authorizing the lease of 3,900 sq. ft. at 1449 Webster Street for employment assistance programs.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

23. 080760 [Authorizing the execution and delivery of certificates of participation to finance health care, assisted living and/or other type of continuing care facility or facilities and related improvements located at 375 Laguna Honda Boulevard]
Mayor
Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of a health care, assisted living and/or other type of continuing care facility or facilities and related improvements located at 375 Laguna Honda Boulevard; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 375 Laguna Honda Boulevard; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell for the certificates of participation, if sold by competitive sale; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the certificates of participation, if sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

24. 080951 [Approving Tefra Hearing for The Institute on Aging Project]
Supervisor McGoldrick
Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$50,000,000 to finance the construction, equipping and furnishing of facilities that will provide access to affordable health care and other support services for low income, frail older adults by The Institute on Aging.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

25. 081006 [Bond Sale of Clean and Safe Neighborhood Parks General Obligation Bonds - \$45,000,000]
Supervisor Elsbernd
Resolution authorizing and directing the sale of not to exceed \$45,000,000 City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008) Series 2008B, prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

26. 081007 [Clean and Safe Neighborhood Parks General Obligation Bonds Issuance - \$185,000,000]
Supervisor Elsbernd
Resolution providing for the issuance of not to exceed \$185,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks, 2008); authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, McGoldrick, Elsbernd

27. 080774 [DSW training and reporting and employee contact information]
Supervisor Alioto-Pier
Ordinance requiring departments to update employee contact information and report annually on the status of required Disaster Service Worker Training.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, Elsbernd

28. 080876 [Recurring FY 2008-2009 State grant funds to the Department of Public Health]
Supervisor Alioto-Pier
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health (DPH) for FY 2008-2009.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, McGoldrick, Elsbernd

29. 080594 [Prohibiting pharmacies from selling tobacco products]
Mayor, Supervisors Peskin, McGoldrick
Ordinance amending the San Francisco Health Code by amending Section 1009.53 and adding Section 1009.60 and Article 19J, to prohibit pharmacies from selling tobacco products.
(No Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

30. 080283 [San Francisco Special Tax Financing Law]
Supervisor Sandoval
Ordinance amending the San Francisco Administrative Code by adding Article 43.10, Sections 43.10.1 through 43.10.23, to enact the Special Tax Financing Law establishing procedures for the formation of special tax districts, the imposition of special taxes and the issuance of bonds secured by such special tax funds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

31. 080823 [Establishment of floodplain management programs and designation of floodplain administrator]
Supervisor Elsbernd
Ordinance establishing a floodplain management program by adding Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; designating the City Administrator as the floodplain administrator; and providing requirements for designating floodplains and for construction and development in floodplains.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 080824 [Authorizing enrollment in National Flood Insurance Program]
Supervisor Elsbernd
Resolution authorizing enrollment in the National Flood Insurance Program, providing assurances that the City, acting by and through the City Administrator, will implement a floodplain management program, and authorizing the City Administrator to take actions necessary to implement this resolution.

Question: Shall this Resolution be ADOPTED?

33. 080673 [San Francisco Public Utilities Commission Cross Connection Controls Project]
Resolution adopting Final Mitigated Negative Declaration, and adopting findings pursuant to the California Environmental Quality Act (CEQA), including the Mitigation Monitoring and Reporting Plan, related to use of appropriated funds for San Francisco Public Utilities Commission (SFPUC) Cross Connection Controls Project.
(Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

34. 080652 [Rental Subsidy Program for Low-Income Families]
Supervisors Daly, Ammiano, Sandoval
Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

35. 080826 [Menu Labeling at Chain Restaurants]
Supervisor Ammiano
Ordinance amending Sections 468.2, 468.3, 468.4, 468.5, 468.6, and 468.8 of the San Francisco Health Code to (1) set rounding rules for disclosure of nutritional information, (2) allow nutritional information for pizzas to be listed per serving size, (3) allow chain restaurants to display the information required by Section 468.4 in brochures and booklets, (4) authorize the Director of the Department of Public Health to adopt rules and regulations to enforce these provisions, and (5) extend the deadlines for electronic reporting and disclosure on menus, food tags, and posters.

Question: Shall this Ordinance be PASSED ON FIRST READING?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

36. 080618 [Board of Supervisors Aides]
Supervisor McGoldrick
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.117, to eliminate the reference to the number of staff members provided for members of the Board of Supervisors.

5/13/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute charter amendment bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.

37. 081046 [Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Action: _____

38. 081047 [Report of assessment costs for sidewalk and curb repairs]
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

39. 080913 [Hearing - Broadway Entertainment Corridor Community Benefit District]
Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

Action: _____

40. 080914 [Resolution to establish the Broadway Entertainment Corridor Community Benefit District]
Supervisor Peskin
Resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

41. 080916 [Hearing - Yerba Buena Community Benefit District]
Hearing of persons interested in or objecting to resolution establishing a property-based business improvement district to be known as the "Yerba Buena Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

Action: _____

42. 080917 [Resolution to establish the Yerba Buena Community Benefit District]
Mayor
Resolution establishing a property-based business improvement district to be known as the "Yerba Buena Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for seven years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 3:30 P.M.

43. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

3/11/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 25, 2008

3/25/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to April 22, 2008

4/22/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to June 3, 2008

6/3/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to June 24, 2008

6/24/2008, CONTINUED. Continued to July 29, 2008 at a Special Order at 3:30 pm.

Motion to waive Board Rule 4.29 was approved without objection.

Action:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

44. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. Continued to February 26, 2008

2/26/2008, CONTINUED. Continued to March 11, 2008

3/11/2008, CONTINUED. Continued to March 25, 2008

3/25/2008, CONTINUED. Continued to April 22, 2008

4/22/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, CONTINUED. Continued to June 3, 2008

6/3/2008, CONTINUED. Continued to June 24, 2008

6/24/2008, CONTINUED. Continued to July 29, 2008 at a Special Order at 3:30 pm.

Motion to waive Board Rule 4.29 was approved without objection.

Question: Shall this Motion be APPROVED?

45. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008
6/3/2008, CONTINUED. Continued to June 24, 2008
6/24/2008, CONTINUED. Continued to July 29, 2008 at a Special Order at 3:30 pm.
Motion to waive Board Rule 4.29 was approved without objection.

Question: Shall this Motion be APPROVED?

46. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008
6/3/2008, CONTINUED. Continued to June 24, 2008
6/24/2008, CONTINUED. Continued to July 29, 2008 at a Special Order at 3:30 pm.
Motion to waive Board Rule 4.29 was approved without objection.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

47. 070967

[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 16, 2007

10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members.
Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to January 15, 2008

1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

48. 070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.
- 7/24/2007, CONTINUED. Continued to September 11, 2007
9/11/2007, CONTINUED. Continued to October 16, 2007
10/16/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to January 15, 2008
1/15/2008, CONTINUED. Continued to March 18, 2008
3/18/2008, CONTINUED. Continued to April 29, 2008
4/29/2008, CONTINUED. Continued to July 29, 2008
Question: Shall this Motion be APPROVED?
49. 070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.
- 7/24/2007, CONTINUED. Continued to September 11, 2007
9/11/2007, CONTINUED. Continued to October 16, 2007
10/16/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to January 15, 2008
1/15/2008, CONTINUED. Continued to March 18, 2008
3/18/2008, CONTINUED. Continued to April 29, 2008
4/29/2008, CONTINUED. Continued to July 29, 2008
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

50. 080906 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for AT&T "Lightspeed" Telecommunications Network Upgrade]
Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2008, Case No. 2007.1350E, exempting from environmental review under Categorical Exemption, Class 3 [State CEQA Guidelines Section 15303(d)]. Under the project, AT&T proposes to install up to 850 metal telecommunications cabinets, each measuring approximately 48-inches high, 50-inches wide and 26-inches deep, in the public right-of-way. In addition, AT&T would enlarge some of its existing Serving Area Interface (SAI) cabinets that are now located in the public right-of-way throughout the City. (Appellant: David Crommie on behalf of Cole Valley Improvement Association.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

51. 080907 [Affirming the categorical exemption issued for the AT&T "Lightspeed" Telecommunications Network Upgrade project]
Motion affirming the determination by the Planning Department that the AT&T "Lightspeed" Telecommunications Network Upgrade project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?
52. 080908 [Disapproving the categorical exemption issued for the AT&T "Lightspeed" Telecommunications Network Upgrade project]
Motion disapproving the determination by the Planning Department that the AT&T "Lightspeed" Telecommunications Network Upgrade project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?
53. 080909 [Preparation of findings related to the AT&T "Lightspeed" Telecommunications Network Upgrade project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at AT&T "Lightspeed" Telecommunications Network Upgrade is exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget and Finance Committee at a Special Meeting on Tuesday, July 29, 2008 at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 29, 2008.

54. 080484 [Sublease of Real Property at 555 Polk Street]

Mayor

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.
(Fiscal Impact.)

5/20/2008, CALLED FROM COMMITTEE. Pursuant to Rule 5.31.1 Supervisors Duffy, Elsbernd, Maxwell and Alioto-Pier called this measure from Budget and Finance Committee.

6/10/2008, RE-REFERRED to Budget and Finance Committee.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, July 29, 2008 at 8:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 29, 2008.

55. 080987 [Appointment, Ballot Simplification Committee - Adele Fasick]

Motion appointing Adele Fasick, term ending November 30, 2008, to the Ballot Simplification Committee.

Adele Fasick, succeeding Suzanne Stassevitch, seat 3, term expired, must represent the League of Women Voters of San Francisco, for the unexpired portion of a three-year term ending November 30, 2008.

Action: _____

56. 080977 [Appointment, Public Utilities Commission - Ann Moller Caen]

Motion confirming the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, Seat 3, for the term ending August 1, 2012.
(Mayor)

Question: Shall this Motion be APPROVED?

57. 080978 [Appointment, Public Utilities Commission - Ann Moller Caen]

Motion rejecting the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, Seat 3, for the term ending August 1, 2012.
(Mayor)

Question: Shall this Motion be APPROVED?

58. 080979 [Appointment, Public Utilities Commission - Richard Sklar]
Motion confirming the Mayor's appointment of Richard Sklar to the Public Utilities Commission, Seat 4, for the term ending August 1, 2010.
(Mayor)
- Question: Shall this Motion be APPROVED?
59. 080980 [Appointment, Public Utilities Commission - Richard Sklar]
Motion rejecting the Mayor's appointment of Richard Sklar to the Public Utilities Commission, Seat 4, for the term ending August 1, 2010.
(Mayor)
- Question: Shall this Motion be APPROVED?
60. 080981 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion confirming the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, Seat 5, for the term ending August 1, 2012.
(Mayor)
- Question: Shall this Motion be APPROVED?
61. 080982 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion rejecting the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, Seat 5, for the term ending August 1, 2012.
(Mayor)
- Question: Shall this Motion be APPROVED?
62. 080983 [Appointment, Public Utilities Commission - Nora Vargas]
Motion confirming the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.
(Mayor)
- Question: Shall this Motion be APPROVED?
63. 080984 [Appointment, Public Utilities Commission - Nora Vargas]
Motion rejecting the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.
(Mayor)
- Question: Shall this Motion be APPROVED?
64. 080985 [Appointment, Public Utilities Commission - Francesca Vietor]
Motion confirming the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012.
(Mayor)
- Question: Shall this Motion be APPROVED?

65. 080986 [Appointment, Public Utilities Commission - Francesca Vietor]
Motion rejecting the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012.
(Mayor)

Question: Shall this Motion be APPROVED?

66. 080821 [Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]
Supervisor Daly
Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance; at an election to be held on November 4, 2008.

6/17/2008, SUBSTITUTED. Supervisor Daly submitted a substitute motion bearing new title.

Question: Shall this Motion be APPROVED?

67. 080709 [Settlement of City's Lawsuit Against Defendant Coral Energy Resources, L.P. - \$277,000]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Coral Energy Resources, L.P.; the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$277,000 to the City from defendant Coral Energy Resources, L.P.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

68. 080710 [Settlement of City's Lawsuit Against Defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni - \$297,500]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni ("Reliant"); the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$297,500 to the City from the Reliant defendants.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

69. 080896 [Settlement of Lawsuit - City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al.]
Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco and the People of the State of California, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, against Pravin Dahy Abhai Patel, George Patel, and Sanjay Patel in exchange for an agreement to rescind the notice of withdrawal submitted pursuant to Government Code section 7060(a); the lawsuit was filed on July 12, 2006, in San Francisco Superior Court, Case No. CGC-06-454092; entitled City and County of San Francisco, et al., v. Pravin Dahy Abhai Patel, et al; other material terms of said settlement are set forth in the Settlement Agreement contained in Board of Supervisors File No. 080896.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

70. 080897 [Settlement of Lawsuit - Schram Construction, Inc. - \$722,104.09]
Ordinance authorizing settlement of the lawsuit filed by Schram Construction, Inc. ("Schram") against the City and County of San Francisco (the "City") seeking \$1,000,000; the lawsuit was filed on June 23, 2006 in the Superior Court of the City and County of San Francisco, Case No.CGC-06-453479, entitled Schram Construction, Inc., v. City and County of San Francisco; other material terms of said settlement are: 1) The City will pay a total of \$722,104.09 to Schram; 2) Schram will indemnify the City against potential legal claims and/or lawsuits from subcontractors and suppliers; 3) All warranties not yet expired will remain in full force and effect; and 4) The City reserves all rights relating to latent defects.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

71. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

72. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

73. 081039 [Accept-Expend Regional Grant - \$16,100]
Supervisor Chu
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$16,100.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

7/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

74. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 15, 2008 to July 21, 2008, for reference by President to appropriate committee on July 29, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 15, 2008 to July 21, 2008, for reference by President to appropriate committee on July 29, 2008.

- 081023 [Board Review and Approval of 2008 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]
Resolution approving the City and County of San Francisco 2008 grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more.
(Human Services Department)

7/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081026 [Approval of the 12-month cost extension application for HIV prevention projects for 2008]
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit a 12-month cost extension application in order to continue to receive funding for the HIV prevention Projects grant from the Centers for Disease Control and Prevention (CDC); in the amount of approximately \$8,800,000 in HIV prevention funding for San Francisco, extending the project period from December 31, 2008 to December 31, 2009.
(Public Health Department)

7/18/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 081027 [Clean Renewable Energy Bonds]
Resolution approving the issuance of not to exceed \$6,325,000 aggregate principal amount of clean renewable energy bonds to be issued by the Public Utilities Commission of the City and County of San Francisco (the "Commission"); approving the execution and delivery by the Commission of a Master Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, and a Bond Purchase Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Public Utilities Commission)

7/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080474 [Petitions and Communications]

Petitions and Communications received from July 15, 2008 through July 21, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 29 2008.

From various City Departments, submitting Human Rights Commission – Wavier Request form: (1)
Police Department
Police Academy
Public Health

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (2)
Ethics Commission
Department on the Status of Women
Law Library
Asian Art Museum
Juvenile Probation Department
Office of Citizen Complaints
Office of the Sheriff
War Memorial and Performing Arts Center
Office of District Attorney

From Office of the Clerk of the Board, submitting notification of receiving a report from the Civil Grand Jury regarding “A year of five elections for the City and County of San Francisco.” (3)

From Office of the Clerk of the Board, regarding Mayor Newsom’s appointments to various Boards and Commissions. (4)

From Department of Elections, regarding certification for petition for San Francisco Public High School Students’ Participation in the Junior Reserve Officers’ Training Corps (JROTC). (5)

From Office of Contract Administration, regarding communicating to vendors to stop the use of Styrofoam packaging. (Reference 20080513-010) (6)

From Supervisor Daly, regarding Mayor Newsom’s proposed Charter Amendment on policy regarding budget set-asides. File 080651, Copy: Each Supervisor. (7)

From concerned citizens, commenting on the proposed ordinance regarding transforming the San Francisco Zoo as a rescue institution and establishing an animal welfare oversight committee. File 080818, Copy: Each Supervisor, approximately 41 letters. (8)

From concerned citizens, commenting on the appeal of determination of exemption from environmental review for AT&T “Lightspeed” telecommunications network upgrade. File 080906, Copy: Each Supervisor, 25 letters. (9)

From concerned citizens, commenting on the proposed ordinance to prohibit smoke in enclosed areas, certain unenclosed areas, and sports stadiums. File 080438, Copy: Each Supervisor, 2 letters. (10)

From Library Citizens Advisory Committee, submitting budget resolution. File 080725, Copy: Each Supervisor, 2 letters. (11)

From UFCW Local 648, submitting opposition to the proposed ordinance to prohibit pharmacies from selling tobacco products. File 080594. (12)

From Parkmerced Residents Organization, submitting support on various Board legislation. File 080650, 080821, 080647, & 080638, Copy: Each Supervisor. (13)

From Local Homeless Coordinating Board, regarding the proposed ordinance on consolidated budget and annual appropriation, fiscal year 2008-2009. File 080725, Copy: Each Supervisor. (14)

From Beth C. Seligman, submitting support of the re-appointment of Christine Garcia on the Animal Control & Welfare Commission. File 080972, Copy: Each Supervisor. (15)

From concerned citizens, commenting on the proposed ordinance regarding Public Library Fees. File 080749, Copy: Each Supervisor, 84 letters. (16)

From Hamilton Family Center, opposing to the Rental Subsidy Program for low-income families. File 080652, Copy: Each Supervisor, 2 letters. (17)

From concerned citizens, commenting on the economic impact analysis of proposed daytime street closure. File 081013, Copy: Each Supervisor, 4 letters. (18)

From concerned citizens, submitting a copy of a letter to the Unified School District regarding senior citizen homeowner exemption application form. (19)

From Examiner, regarding legal advertising not publishing on July 13, 2008. (20)

From Sunset-Parkside Education and Action Committee, urging the Board to approve the resolution adopted by the Coalition for San Francisco Neighborhoods regarding creating the Office of Independent Ratepayer Advocate. Copy: Each Supervisor. (21)

From John Jenkel, submitting article from Abuse News #3729. (22)

From James Chaffee, commenting on the Board of Supervisors Meetings on July 15, and July 16, 2008. (23)

From Tom & Kiki Stack, commenting on renaming Speedway Meadows. (24)

From Kimo Crossman, submitting various articles about MoveOn and other netroots developments. (25)

From concerned citizens, commenting on the Office of the Clerk of the Board's redaction policy. 2 letters. (26)

From Alvin Johnson, submitting a letter from March 13, 2007 regarding IS reclassification system. (27)

From concerned citizen, commenting on renaming Oceanside sewage plant after the current president. 2 letters. (28)

From Department of Public Health, forwarding a letter from Romana Hobeck-Sinegal supporting any ban on smoking in the City. (29)

From Lee Doolan, submitting an article from www.msnbc.com regarding Chicago Police operation designed to promote crosswalk safety. Copy: Each Supervisor. (30)

From Department of Elections, regarding certification for petition for renaming the Oceanside Water Pollution Control Plant to the George W Bush Sewage Plant. Copy: Each Supervisor. (31)

From Department of Elections, regarding certification for petition for enforcement of laws related to prostitution and sex workers. Copy: Each Supervisor. (32)

From Mayor Newsom, designating Supervisor Alioto-Pier as Acting-Mayor from 8:35am on Saturday, July 19, 2008 until 8:35pm on Sunday, July 20, 2008. Copy: Each Supervisor. (33)

From Police Department, responding to Supervisor Mirkarimi's request for an itemized report of citations issued for various classes of moving traffic violations on a monthly basis. (Reference 20080617-008) Copy: Supervisor Mirkarimi. (34)

From Department of Public Works, regarding status on removing graffiti from newsstands at various locations in District 5. (Reference 20080520-12) (35)

From Lee Mentley, submitting an article regarding "Census Won't Count Gay Marriages." (36)

From Christian Holmer, regarding an immediate disclosure request from the Mayor's Office. (37)

From Casey Allen, regarding bicycle hearing at City Hall. (38)

From William Hickey, commenting on various issues regarding the City. Copy: Each Supervisor. (39)

From Richard Schmale, commenting on Santa Cruz's anti-smoking law. Copy: Supervisor Daly. (40)

From Planning Department, submitting a hard copy and a CD copy of the 55 Laguna Mixed Use Project – Final Environmental Impact Report. (41)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference 20080520-013) (42)

From concerned citizens, opposing to name a sewage plant for President George Bush, 2 letters. (43)

From concerned citizens, supporting the San Francisco Clean Energy Act. File 080648, Copy: Each Supervisor, 4 letters. (44)

From Steve Hoffman, submitting a copy of a letter from USA TODAY regarding permit fee increase. File 080765, Copy: Each Supervisor. (45)

From concerned citizens, regarding sanctuary in San Francisco. Copy: Supervisor Daly, 5 letters. (46)

From Patrick Monette Shaw, regarding an article published on the Fog City Journal website, entitled Management Salaries Drown San Francisco. (47)

From Health Commission, submitting a resolution supporting rebuilding the San Francisco General Hospital and Trauma Center general obligation bond and a resolution endorsing the proposed ordinance to prohibit pharmacies from selling tobacco products. File 080866. (48)

From Ted Strawser, submitting a copy of an email to City Attorney, regarding bike injunction on the website. (49)

From Martin Winderl, submitting a copy of a letter to Recreation and Park General Manager, Yomi Agunbiade, regarding demand for storm damages on January 2-3, 2008. (50)

From Elliott Robbins, submitting resignation as District 2 representative on the Park, Recreation and Open Space Advisory Committee. (51)

From a concerned citizen, regarding funding of the Haight Asbury Free Clinics. (52)

APPOINTMENTS BY THE MAYOR

Rent Board

Dave Crow

Taxi Commission

James Slaughter

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 12, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

DOCUMENTS DEPT.

AUG 08 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the July 8, 2008, July 15, 2008, July 16, 2008 and July 22, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 080830 [Pre-Tax Commuter Benefits for Qualifying Transit]

Supervisor Mirkarimi

Ordinance amending the San Francisco Environment Code by adding a new Section 421 to require San Francisco employers to offer commuter benefits to encourage employees to use public transit or van pools; to authorize the Department of the Environment to implement an Emergency Ride Home program; and making environmental findings.

(Fiscal Impact.)

8/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 081016 [Refunding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project)]
Mayor

Ordinance approving the issuance of lease revenue refunding bonds to refinance, in whole and/or in part, the \$144,300,000 outstanding City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 2000-1, Series 2000-2, and Series 2000-3 (Moscone Center Expansion Project); approving the form of a site and facilities lease by and between the City and County of San Francisco (the "City") and the City and County of San Francisco Finance Corporation (the "Corporation"); approving the form of a project lease between the Corporation and the City; approving the form of a reimbursement agreement among the City, the Corporation and each credit provider; approving the form of an Official Statement; approving the form of a purchase contract between the Corporation and each underwriter, including the form of a certificate of the City; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; approving modifications to documents; and ratifying previous actions taken in connection therewith.

8/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

3. 080478 [Height Map Amendment - Rezoning Block 5323, Lots 13, 14, 14A, 15, 15A And 15B On Third Street And Mendell Street, From A 105-A Height And Bulk Limit To A 55-X Height And Bulk Limit]
Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by amending Height Map HT 10 of the Zoning Map of the City and County of San Francisco to change height and bulk limit for Block 5323, lots 13, 14, 14A, 15, 15A and 15B, located at the intersection of Third Street and Mendell Street, from 105-A to 55-X; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

8/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

4. 080441 [Regulating Overtime for City Employees]

Mayor, Supervisor McGoldrick

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours worked in any fiscal year and to limit overtime to no more than 40 in a regular work week except for work performed for emergency or critical services needs, if such emergency or critical service need is approved by appropriate officials.

8/5/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

8/5/2008, RE-REFERRED.

8/5/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

5. 080592 [Appropriating \$272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]
Supervisors Maxwell, Peskin

Ordinance appropriating \$272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.

(Supervisor Alioto-Pier dissented in committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Supervisor Alioto-Pier dissented in Committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

6/3/2008, CONTINUED. Continued to July 15, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 080577 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
- 5/13/2008, CONTINUED. Continued to May 20, 2008
- 5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued to June 3, 2008
- 5/20/2008, CONTINUED AS AMENDED.
- 6/3/2008, CONTINUED. Continued to July 15, 2008
- 7/16/2008, CONTINUED. Continued to August 12, 2008
- Question: Shall this Resolution be ADOPTED?**

8. 080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]
Supervisors Maxwell, Duffy, McGoldrick, Peskin
Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.
(Supervisor Alioto-Pier dissented in Committee.)
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
6/3/2008, CONTINUED. Continued to July 15, 2008
7/16/2008, CONTINUED. Continued to August 12, 2008
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

9. 080691 [Zoning - Hunters View SUD and the 40/65-X Height and Bulk District]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 263.20 to establish special exceptions for heights within the Hunters View Special Use District and the 40/65-X Height and Bulk District, allowing residential buildings with conditional use authorization pursuant to Planning Code Sections 303 and 304 to have a maximum height of 65 feet; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
- 8/5/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

10. 080692 [Zoning - Hunters View Special Use District]**Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.39 to establish the Hunters View Special Use District, allowing the subdivision or portions of the site as individual lots to exceed the density of the underlying zoning district and allowing uses that are either principally or conditionally permitted within NC-1 districts to be principally permitted within the special use district; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

8/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 080693 [Zoning Map Amendments - Hunters View]**Supervisor Maxwell**

Ordinance amending the Zoning Maps of the City and County of San Francisco, Sheet HT10, to change the Height and Bulk Designation of Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 from 40-X to 40/65-X, Sheet ZN10, to change the Zoning Use Districts of Block 4720, Lot 27 from RH-2, NC-2 and M-1 to RM-1, and Sheet SU10, to designate Assessor's Block 4624, Lots 3, 4 and 9 and Block 4720, Lot 27 with the Hunters View Special Use District; adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

8/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

12. 080282 [Off-Site Residential Inclusionary Affordable Housing Requirements]**Supervisors Sandoval, Daly**

Ordinance amending Section 315.5 of the Planning Code to provide that twenty-five percent of off-site units given site permits annually may be built outside of the currently-required one-mile radius from the market-rate project, and to provide that off-site units cannot be located in industrially-zoned areas or within a quarter mile of developments containing 200 or more publicly-owned and operated affordable housing developments.

8/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

13. 080656 [Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009. Mayor's Summer Food Service Program and After School Snack Program - 2008 - \$950,710]
Supervisor Maxwell
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Families (CHF), and authorizing the department to accept and expend a grant in the amount of \$950,710, currently and retroactively, if necessary, from the United States Department of Agriculture to sponsor the 2008 Mayor's Summer Food Program and the After School Snack Program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 080957 [WSIP Agreement No. CS-913, Bay Tunnel Project Construction Management Services]
Resolution authorizing the General Manager of the Public Utilities Commission to execute a professional services agreement with Jacobs Engineering for an amount not to exceed \$18,000,000 to provide construction management services for the Bay Tunnel Project.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

15. 081023 [Board Review and Approval of 2008 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]
Resolution approving the City and County of San Francisco 2008 grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more.
(Human Services Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

16. 081017 [Supporting full funding of Proposition 42 in the FY 2008-09 California State Budget]
Mayor
Resolution urging the California State Legislature to fully fund Proposition 42 as proposed by the Governor in the Fiscal Year 2008-09 California State Budget and supported by the Budget Conference Committee.

Question: Shall this Resolution be ADOPTED?

17. 081003 [Approval of Agreement between the City and County of San Francisco and Cubic Transportation Systems, Inc. for Farebox System Rehabilitation and Upgrades, for a contract term of twenty-six (26) months and an amount not-to-exceed \$19,000,000]
Supervisor Dufty
Resolution approving the Agreement between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and Cubic Transportation Systems, Inc. for Fare System Rehabilitation and Upgrades Project.
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
18. 081035 [Agreement with Cypress Security LLC. for Armed and Unarmed Security Guard Services]
Supervisor Dufty
Resolution authorizing a three year agreement, with option to renew for up to an additional three years, with Cypress Security LLC. for an amount not to exceed \$15.8 million.
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
19. 081037 [Multifamily Housing Revenue Bonds - Zygmunt Arendt House]
Supervisor Mirkarimi
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$10,500,000 for the purpose of providing financing for a multifamily rental housing project to be known as Zygmunt Arendt House; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the Bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the Bonds and the project; and granting general authority to City officials to take actions necessary to implement this Resolution.
- Question: Shall this Resolution be ADOPTED?
20. 081059 [Acceptance of State Grant Funds, Department of Public Works - \$450,000]
Supervisor McGoldrick
Resolution authorizing the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling \$450,000 for FY 2008-09 for various pedestrian projects in the City and County of San Francisco.
- Question: Shall this Resolution be ADOPTED?
21. 081067 [Approval of one-year extension of professional services contract for the San Francisco Treasurer/Tax Collector for interactive voice response ("IVR") payment services for various City and County Departments]
Resolution approving an extension of up to one-year for a professional services contract for the San Francisco Treasurer/Tax Collector for services to process credit card payment applications on interactive voice response ("IVR") systems for various City and County departments while contract with new vendor is negotiated.
(Treasurer-Tax Collector)
- Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present Supervisors McGoldrick, Elsbernd, Mirkarimi

22. 080731 [Revocation of Permit for U.N. Plaza Collectible/Antiques Market]
Mayor
Resolution revoking the permit for a collectible/antiques market at U.N. Plaza.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Peskin

23. 080856 [Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]
Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 080857 [Mission Bay South-Acceptance of Land and Improvements for the 7th and 16th Street Intersection]
Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M**

25. 080888 [Public Hearing - Appeal of Tentative Final Map for 1420 Turk/1535 Eddy Streets]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 325 unit residential condominium located at 1420 Turk Street and 1535 Eddy Street, Lot 019 in Assessor's Block 0750. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; companion measure to Files 080889, 080890, 080891; District 5.)

7/15/2008, CONTINUED. Continued to July 16, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Final Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 080889 [Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

7/15/2008, CONTINUED. Continued to July 16, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.

Question: Shall this Motion be APPROVED?

27. 080890 [Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1420 Turk Street and 1535 Eddy Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

7/15/2008, CONTINUED. Continued to July 16, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.

Question: Shall this Motion be APPROVED?

28. 080891 [Findings - 1420 Turk Street and 1535 Eddy Street]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.
(Clerk of the Board)

7/15/2008, CONTINUED. Continued to July 16, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M.

29. 080892 [Public Hearing - Appeal of Tentative Final Map for 1345 Fillmore Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 5, 2008, disapproving a proposed Tentative Final Map for a 330 unit residential condominium located at 1345 Fillmore Street, Lots 018, 20 through 67, in Assessor's Block 0731. (Appellant: Timothy A. Tosta)
(Filed June 16, 2008; Companion measure to Files 080893, 080894, 080895; District 5.)
- 7/15/2008, CONTINUED Continued to July 16, 2008
7/16/2008, CONTINUED Continued to August 12, 2008 at 3:30 p.m.
Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Final Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. 080893 [Approving the decision of the Director of Public Works and disapproving the Tentative Final Map for 1345 Fillmore Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)
- 7/15/2008, CONTINUED. Continued to July 16, 2008
7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.
Question: Shall this Motion be APPROVED?
31. 080894 [Disapproving the decision of the Director of Public Works and approving the Tentative Final Map for 1345 Fillmore Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)
- 7/15/2008, CONTINUED. Continued to July 16, 2008
7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.
Question: Shall this Motion be APPROVED?

32. 080895 [Findings - 1345 Fillmore Street Tentative Final Map]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.
(Clerk of the Board)

7/15/2008, CONTINUED. Continued to July 16, 2008

7/16/2008, CONTINUED. Continued to August 12, 2008 at 3:30 p.m.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M.

33. 081042 [Public Hearing - Appeal of Tentative Parcel Map for 628-632 Steiner Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated July 14, 2008, disapproving a Tentative Parcel Map for a 3-unit condominium conversion project located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024. (Appellant: Alain Calefas)
(Filed July 22, 2008; companion measure to Files 081043, 081044, 081045; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

34. 081043 [Approving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for 628-632 Steiner Street]
Motion approving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Question: Shall this Motion be APPROVED?

35. 081044 [Disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for 628-632 Steiner Street]
Motion disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Question: Shall this Motion be APPROVED?

36. 081045 [Findings - 628-632 Steiner Street]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

37. 080927 [Public Hearing - Appeal of Mitigated Negative Declaration - 300 Grant Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 12, 2008, approving a Mitigated Negative Declaration (File Number 2004.1245E) for the proposed development at 300 Grant Avenue. The proposal would demolish two commercial buildings, construct a new, 111,000 gross square-foot, 10-story, mixed-use building containing approximately 45 dwelling units, below-grade parking and ground floor and second floor retail on two lots (Lots 13 and 14, Assessors Block 0287) in the C-3-R (Downtown Retail) district within the Kearny-Market-Mason-Sutter Conservation District. (Appellant: Sue C. Hestor on behalf of Alan and Paola Habegger, David Anders and Kenneth and Anna Zankel, residents of The Landmark at 333 Grant Avenue)
(Filed 7/2/08; companion measure to 080928, 080929, 080930; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

38. 080928 [Affirm adoption of the mitigated negative declaration for the 300 Grant Avenue project]
Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 080929 [Reversing adoption of the mitigated negative declaration for the 300 Grant Avenue project]
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

40. 080930 [Preparation of findings to reverse adoption of the mitigated negative declaration for the 300 Grant Avenue project]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee on Thursday, August 7, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 12, 2008.

41. 081062 [Appointment, Sunshine Ordinance Task Force - Doyle Johnson]

Motion appointing Doyle Johnson, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

Doyle Johnson, new designation, seat 7, must be member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government, for a two-year term ending April 27, 2010.

Question: Shall this Motion be APPROVED?

42. 080936 [Reappointment, Planning Commission - Michael Antonini]

Motion approving the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080937. Transmittal date – July 8, 2008.)

Question: Shall this Motion be APPROVED?

43. 080937 [Reappointment, Planning Commission - Michael Antonini]

Motion rejecting the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080936. Transmittal date – July 8, 2008.)

Question: Shall this Motion be APPROVED?

44. 080938 [Reappointment, Planning Commission - Ron Miguel]
Motion approving the Mayor's reappointment of Ron Miguel to the Planning Commission term ending July 1, 2012.
(Mayor)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080939. Transmittal date – July 8, 2008.)

Question: Shall this Motion be APPROVED?

45. 080939 [Reappointment, Planning Commission - Ron Miguel]
Motion rejecting the Mayor's reappointment of Ron Miguel to the Planning Commission term ending July 1, 2012.
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080938. Transmittal date – July 8, 2008.)

Question: Shall this Motion be APPROVED?

46. 080886 [Changing the name of the Department of Telecommunications and Information Services to the Department of Technology]
Mayor
Ordinance changing the name of the Department of Telecommunications and Information Services to the Department of Technology, and amending San Francisco Administrative Code Sections 11.84, 11.85, 11.86, and 11.88, to implement the name change.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 080019 [Implementing the Controller's Whistleblower Program]
Supervisor Mirkarimi
Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department.
(Controller)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 080272 [Requiring registered lobbyists to wear identification badges when making lobbying contacts]
Supervisor Daly
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by adding section 2.113 to require registered lobbyists to wear identification badges distributed by the Ethics Commission when making lobbying contacts.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 080564 [Establishing a Reentry Council]
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 080818 [Recreation and Park - San Francisco Zoo Policies and Oversight]
Supervisor Daly
Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; is committed to education and conservation, and makes animal welfare a priority; and to establish a Zoo Animal Welfare Oversight Advisory Committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Special Meeting on Tuesday, August 12, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 12, 2008.

51. 080985 [Appointment, Public Utilities Commission - Francesca Vietor]
Motion confirming the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012.
(Mayor)

Question: Shall this Motion be APPROVED?

52. 080986 [Appointment, Public Utilities Commission - Francesca Vietor]
Motion rejecting the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012.
(Mayor)

Question: Shall this Motion be APPROVED?

The following items will be considered by the City Operations and Neighborhood Services Committee on Thursday, August 7, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 12, 2008.

53. 081053 [Accept-expend gift - \$100,000]

Supervisor Chu

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of \$100,000 from American Express to plant approximately 1,000 trees on Sunset Boulevard allowing the use of the City's corporate seal under certain conditions, and allowing the Director of Public Works to sign an agreement that includes provisions for alternative dispute resolution.

Question: Shall this Resolution be ADOPTED?

54. 081026 [Approval of the 12-month cost extension application for HIV prevention projects for 2008 - \$8,800,000]

Resolution authorizing the San Francisco Department of Public Health (SFPDPH) to submit a 12-month cost extension application in order to continue to receive funding for the HIV prevention projects grant from the Centers for Disease Control and Prevention (CDC); in the amount of approximately \$8,800,000 in HIV prevention funding for San Francisco, extending the project period from December 31, 2008 to December 31, 2009.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

55. 081054 [Grant to support the Peer Provider Project - \$225,000]

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively funds from the California Wellness Foundation in the amount of \$225,000 to support the Peer Provider Project, including a contract with Huckleberry Youth Programs in the total amount of \$59,400; for the period of July 1, 2008 through June 30, 2011.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Public Safety Committee on Monday, August 11, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 12, 2008.

56. 081063 [Accept-expend state grant, Mayor's Office of Criminal Justice (MOCJ) - \$2,294,774]

Supervisor Elsbernd

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,294,774 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2008 to June 30, 2009.

Question: Shall this Resolution be ADOPTED?

57. 081064 [Accept-expend state grant, Mayor's Office of Criminal Justice (MOCJ) - \$100,583]
Supervisor Elsbernd
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$100,583 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

Question: Shall this Resolution be ADOPTED?

58. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

59. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 60 through 62

60. 081104 [Urging the Recreation and Park Department to re-install park benches in Civic Center Plaza]
Supervisor Maxwell
Resolution urging the prioritization of resources to re-install park benches in Civic Center Plaza.

8/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 081105 [Opposing fiscally irresponsible State budget decisions]
Supervisor Maxwell
Resolution opposing fiscally irresponsible State budget decisions that would "borrow" local government, redevelopment and transportation funds.
- 8/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
62. 081106 [Urging the Recreation and Park Commission to beautify, landscape, and improve the neglected lot on the southwest end of McLaren Park]
Supervisor Maxwell
Resolution urging the prioritization of resources to beautify and improve the neglected and blighted southwest corner of McLaren Park, opposite the Sunnydale Public Housing Complex.
- 8/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
- Questions on the For Adoption Without Committee Reference Agenda:* _____

63. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 29, 2008 to August 4, 2008, for reference by President to appropriate committee on August 12, 2008.

- 081074** [Changing the official sidewalk width - Harrison Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

7/31/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 081078** [Personal Wireless Service Facilities Site Permits]
Ordinance amending the San Francisco Administrative Code by amending section 11.9 to: (1) establish new standards for review by the Planning Department and the Recreation and Park Department of applications for personal wireless service facilities site permits; (2) establish the right to protest the grant or denial of applications for personal wireless service facilities site permits; (3) authorize the Department of Public Works to establish certain requirements for all applications for personal wireless service facilities site permits; (4) change certain fees applicable to personal wireless service facilities site permits; (5) extend the term of personal wireless service facilities site permits; and (6) make specified technical changes to the application process and requirements for personal wireless service facilities site permits.
(Public Works Department)

8/4/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 29, 2008 to August 4, 2008, for reference by President to appropriate committee on August 12, 2008.

- 081071** [Approval of CPMC Lease Termination Agreement at One South Van Ness Avenue]
Resolution approving a Lease Termination Agreement between the City, as landlord, and CPMC, as tenant, for approximately 127,638 square feet of office space on the 4th and 8th floors of One South Van Ness Avenue, and the subsequent occupancy of the 4th floor space by the Department of Human Resources and the 8th floor space by the Municipal Transportation Agency.
(Real Estate Department)

7/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081072 [Authorizing the Sheriff to execute contracts with the State and accept and expend funds associated with a Secure Reentry Program Facility]**
Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) and accept and expend funds associated with the contracts. The purpose of the contract is to establish a pilot San Francisco County Secure Reentry Program Facility (SRPF) that will provide up to 12 months of intensive, in-custody evidence based reentry programming which will address the offender's underlying employment, mental health and substance abuse issues. This will be followed by 12 months of accountability based out-of-custody reentry programming.
(Sheriff)
- 7/30/2008, RECEIVED AND ASSIGNED to Public Safety Committee.
- 081073 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]**
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2008 to September 30, 2009.
(Treasure Island Development Authority)
- 7/31/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081075 [Airport Concession Lease]**
Resolution approving the Boarding Area "F" Pharmacy, Health and Beauty Store Lease between Harmony Pharmacy and Health Center, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.
- 8/1/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081077 [Approval of Mental Health Services Act (MHSA) FY08-09 Annual Community Services and Supports Plan Update]**
Resolution authorizing adoption of the Mental Health Services Act Fiscal Year 2008-2009 Annual Community Services and Supports (CSS) Plan Update and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement.
(Public Health Department)
- 8/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081079 [Amendment to Leases of Real Property at 3120 Mission and 3425 Cesar Chavez Streets]**
Resolution authorizing the Amendment to Leases at 3120 Mission and 3425 Cesar Chavez Streets for the Department of Human Services.
(Real Estate Department)
- 8/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080633 [Petitions and Communications]

Petitions and Communications received from July 29, 2008 through August 4, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 12, 2008.

From Department of Public Works, regarding status on removing graffiti from utility poles at various locations in District 5. (Reference 20080708-002) (1)

From concerned citizens, commenting on the Appeal of Certificate of Determination Exemption from Environmental Review for AT&T "Lightspeed" Telecommunications Network Upgrade. File 080906, Copy: Each Supervisor, 17 letters. (2)

From concerned citizens, commenting on the proposed ordinance prohibiting tobacco sales in pharmacies. File 080594, Copy: Each Supervisor, 31 letters. (3)

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (4)

SFMTA

Adult Probation Department

From Ruth Amernick, regarding the community garden in the Civic Center. (5)

From Yari Jeadra, commenting on various issues regarding the City. (6)

From Patrick Monette-Shaw, submitting testimony urging the Board to reject passing the \$185 million in Certificates of Participation for the Laguna Honda Hospital Replacement Project. (7)

From Andrea & Rick O'Leary, submitting copy of letter to Mayor Newsom, regarding Recreation and Park Department's General Manager. (8)

From Compass Family Center, submitting copy of letter to Supervisor Dufty, opposing legislation to remove time-limits of the City's shallow housing subsidy programs for families. File 080652. (9)

From University of California, Berkeley, submitting a copy of a study regarding Expected Consumer Benefits from Wired Video Competition in the City of San Francisco. Copy: Each Supervisor. (10)

From Ethics Commission, regarding Election Campaign Fund. Copy: Each Supervisor (11)

From Kimo Crossman, commenting on the SOTF website. (12)

From Vicki Leidner, supporting ordinance banning businesses in violation of international law. (13)

From Graffiti Advisory Board, submitting the Annual Attendance Report from July 1, 2007 - June 30, 2008 of Graffiti Advisory Board members. (14)

Milo Hanke

Nino Parker

Paul Giusti

Rebecca Delgado Rottman

Michael Cashion

Alex Mamak

From a Shirley Daviddes, commenting on the Farmers Market at the Civic Center. (15)

From AT&T Inc., submitting AT&T's network upgrade briefing package. File 080906, Copy: Each

Supervisor, 2 letters. (16)

From Holland & Knight LLP, regarding Appeal of Certificate of Determination Exemption from Environmental Review for AT&T "Lightspeed" Telecommunications Network Upgrade. File 080906, Copy: Each Supervisor, 2 letters. (17)

From Public Utilities Commission, regarding status of replacing broken light bulbs on two street lights located on 37th Avenue. (Reference 20080624-001) (18)

From Office of the Controller - City Services Auditor, submitting a report concerning the Airport Commission: Concession Audit of SSP America, Inc., dba Anchor Steam Brewing Company and T.G.I. Friday's. (19)

From Designing Accessible Communities, submitting a letter to Joe Wyman regarding Hornblower Cruises and Port of San Francisco, Pier 1 and Special Events - Festival of Sail Access Violations. (20)

From PPK Holdings, Inc., regarding on-sale general, public premises (type 48) license. (21)

From San Francisco Beautiful, regarding Appeal of Determination of Exemption from Environmental Review for AT&T "Lightspeed" Telecommunications Network Upgrade & Disapproving the Exemption from Environmental Review for the AT&T "Lightspeed" Telecommunications Network Upgrade. File 080906 & 080908, Copy: Each Supervisor. (22)

From Office of the Clerk of the Board of Supervisors, submitting document from the Department of Alcoholic Beverage Control concerning Vespertine Inc., Copy: Each Supervisor. (23)

From Stephen Muff, commenting on the City regarding intolerance for the Catholic Church. (24)

From Jay Oakman, submitting his thanks to the Mayor and the Board of Supervisors for their services and support in defeating proposed Ordinance #080520. File 080520. (25)

From Donna Deitz, regarding stray animals. (26)

From concerned citizens, opposing to the Mayor's proposed recycle enforcement law, 3 letters. (27)

From concerned citizens, commenting on the proposed ordinance prohibiting pharmacies from selling tobacco products. File 080594, Copy: Each Supervisor, 2 letters. (28)

From San Francisco Public Utilities Commission, submitting Human Rights Commission - Waiver Request form: (29)

From Dr. Ahimsa Porter Sumchai, commenting on the various issues and concerns relating to the Department of Public Health. (30)

From concerned citizens, commenting on San Francisco Zoo policies and oversight. File 080818, 25 letters. (31)

From State of California Fish and Game Commission, submitting notice of proposed regulatory action relating to incidental take of longfin smelt. (32)

From Police Commission - Office of Citizen Complaints, submitting the Office of Citizen Complaints 2008 Second Quarter Statistical Report. (33)

From concerned citizens, supporting the Community Choice Energy Plan, 24 letters. (34)

From San Francisco Redevelopment Agency, submitting public notice of EIR preparation. (35)

From Department of Public Health, submitting Quarterly Aids Surveillance Report, Aids Cases Reported Through June 2008. (36)

From Charles & Patricia Roach, commenting on home ownership in the City. Copy: Each Supervisor. (37)

From Barbara Bella, commenting on issues regarding quality of life in the City. Copy: Each Supervisor. (38)

From Mesha Monge-Irizarry, requesting the Board of Supervisors to enact regulations covering private security practices in the City. Copy: Each Supervisor. (39)

From San Francisco Public Utilities Commission, regarding status of PUC researching potential buyers for the PUC and if PUC or the City has given money to PG&E in the last month for work relating to siting the Peakers. (Reference 20080617-001, 20080617-003, 20080617-004) (40)

From concerned citizens, supporting the proposed ordinance regarding transforming the San Francisco Zoo as a rescue institution and establishing an animal welfare oversight committee. File 080818, Copy: Each Supervisor, approximately 140 emails. (41)

From concerned citizens, urging the Board to reverse the proposal to cut 20% of funds going to APA/APIFRN under Human Services Agency. Copy: Each Supervisor, 42 letters. (42)

From Law Offices of Taggart & Hawkins, submitting a Liquor License Public Convenience and Necessity Request on behalf of the partners of Luigi's Delicatessen. (43)

From a concerned citizen, urging the Board to change Speedway Meadow in Golden Gate Park to Chet Helms Meadow. (44)

From Laura Carroll, submitting a letter to Mayor Newsom regarding Condo Conversion Program. File 080520, Copy: Each Supervisor. (45)

From SF Homeless, submitting an article regarding a police officer at the SF Southern Station. (46)

From a concerned citizen, regarding notification of application filing of PG&E Company to recover in rates the cost to complete construction of the Tesla Generating Station and for approval of the 2009-2011 Energy Efficiency Programs and Budgets. (47)

From Larry Hawk, submitting an article from NYPOST.COM regarding American Calcutta. (48)

From a concerned citizen, regarding various issues regarding the City. (49)

From Office of Clerk of the Board, submitting report of each City Department that provided the Board of Supervisors with a list of sole source contracts entered into during fiscal year 2007-08. (50)

From Ron Rice, concerning various issues regarding the City. (51)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 9, 2008 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

SEP - 4 2008

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ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

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The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the July 29, 2008 and the August 5, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 080656 [Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009. Mayor's Summer Food Service Program and After School Snack Program - 2008 - \$950,710]
Supervisor Maxwell
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Families (CHF), and authorizing the department to accept and expend a grant in the amount of \$950,710, currently and retroactively, if necessary, from the United States Department of Agriculture to sponsor the 2008 Mayor's Summer Food Program and the After School Snack Program.

8/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

2. 080856 **[Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]**
Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance.
(Public Works Department)
- 8/12/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 080857 **[Mission Bay South-Acceptance of Land and Improvements for the 7th and 16th Street Intersection]**
Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance.
(Public Works Department)
- 8/12/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

4. 080886 **[Changing the name of the Department of Telecommunications and Information Services to the Department of Technology]**
Mayor
Ordinance changing the name of the Department of Telecommunications and Information Services to the Department of Technology, and amending San Francisco Administrative Code Sections 11.84, 11.85, 11.86, and 11.88, to implement the name change.
- 8/12/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. 080019 [Implementing the Controller's Whistleblower Program]
Supervisors Mirkarimi, Dufty

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department.
(Controller)

8/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 080564 [Establishing a Reentry Council]
Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

8/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

7. 081146 [Findings - Disapproval of the Tentative Map for 1345 Fillmore Street]`
Motion adopting findings concerning the disapproval of a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

8/25/2008, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
8. 081147 [Findings - Disapproval of the Tentative Map for 1420 Turk Street and 1535 Eddy Street]
Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

8/25/2008, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?
9. 081148 [Findings - Approval of the Tentative Parcel Map for 628-632 Steiner Street]
Motion adopting findings concerning the approval with conditions of a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

8/25/2008, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

10. 080686 [Landmark tree designation of Monterey Cypress at 2626 Vallejo Street]
Supervisor Alioto-Pier
Ordinance designating the Monterey Cypress at 2626 Vallejo Street (Assessor's Block 0953, Lot 006) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, McGoldrick, Elsbernd

11. 080687 [Landmark designation of Manzanita at 115 Parker Avenue]
Supervisor Alioto-Pier
Ordinance designating the Manzanita at 115 Parker Street (Assessor's Block 1064, Lot 002) as a landmark notwithstanding the provisions contained in the Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 080935 [Urging SFUSD to reconsider current school assignment system]
Supervisor Chu
Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.
(Supervisor McGoldrick dissenting in Committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

13. 080233 [Urban Forestry Council - Membership]
Supervisor McGoldrick
Ordinance amending the San Francisco Environment Code by amending Section 1202 to reconstitute the membership of the Urban Forestry Council to eleven members.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 081014 **[In-Home Supportive Services - Public Authority]**
Supervisor Peskin
Ordinance amending Administrative Code Chapter 70, regarding the In-Home Supportive Services Public Authority, to eliminate obsolete terms and amending Section 70.2 to provide compensation for members of the governing body for attending meetings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 081056 **[Issuance and Sale of Revenue Bonds - Schools of the Sacred Heart - Not to exceed \$35,000,000]**
Supervisor Dufty
Resolution approving in accordance with Section 147(f) of the Internal Revenue Code and requirements of Section 91530(f) of the Government Code the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$35,000,000 to finance educational projects owned and operated by the Schools of Sacred Heart - San Francisco.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

16. 080235 **[First Source Hiring Ordinance - expanding scope of covered permits in Market and Octavia Plan]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Sections 83.2, 83.4, and 83.6 to: (1) expand the scope of permits that the ordinance applies to in the Market and Octavia Area Plan; (2) place new reporting requirements on the First Source Hiring Administration that include reporting first source statistics on permittees, as defined under the ordinance, and (3) require contractors and permittees to cooperate with reasonable requests for information from the First Source Hiring Administration.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
17. 080521 **[Citywide Affordable Housing Preference for Certificate of Preference Holders]**
Supervisors Mirkarimi, Dufty, Maxwell
Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

**18. 080818 [Recreation and Park - San Francisco Zoo Policies and Oversight]
Supervisor Daly**

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; is committed to education and conservation, and makes animal welfare a priority; and to establish a Zoo Animal Welfare Oversight Advisory Committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met.

(8/7/08, Supervisor Duffy dissenting in committee).

Question: Shall this Ordinance be PASSED ON FIRST READING?

Called from the City Operations and Neighborhood Services Committee

**19. 080438 [Prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums]
Supervisor Daly**

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants, 8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the ordinance, and making conforming changes in the Police Code by repealing Sections 53, 53.1, and 1098, and in the Health Code by repealing Section 1009.24.

8/12/2008, CALLED FROM COMMITTEE.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

20. 081133**[Public Hearing - Appeal of Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project]**

Hearing of persons interested in or objecting to the Planning Commission's August 7, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2004.0160E, through its Motion No. 17659, for a proposed Eastern Neighborhoods Rezoning and Area Plans project, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, and adoption of interim historic preservation procedures. The Plan Area generally includes the eastern portion of the South of Market Area ("East SOMA"), The Mission, Showplace Square/Potrero Hill, and the Central Waterfront Neighborhoods of San Francisco and making other related findings. (Appellants: Chris Durazo, Filed 8/8/08; and Gary Noguera, Filed 8/27/08) (Filed 8/8/08 and 8/27/08; companion measure to Files 081134, 081135, 081136.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 081134 [Affirming certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
22. 081135 [Disapproving certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
23. 081136 [Preparation of findings to disapprove certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans FEIR.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

24. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

25. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 26 to 30

26. 081129 [90 day extension for Planning Commission review - Mission/Bernal Formula Retail Restricted Use Subdistrict]
Supervisor Ammiano
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
- 8/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 081130 [Accept-Expend Federal/State Pass Through Grant - \$11,828]
Supervisors Chu, Dufty
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$11,828 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
- 8/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 081131 [Commending Breakthrough Collaborative]
Supervisor Daly
Resolution commending Breakthrough Collaborative for their work to increase educational opportunities for high-potential, disadvantaged middle school students and inspired gifted college and high school students to pursue careers in education.
- 8/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

29. 081132 [Accept-Expend State grants for food and agricultural projects - \$6,808.90]**Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling \$6,808.90, two from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2008 through June 30, 2009.

8/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 081126 [Final Map - 146-148 South Van Ness Avenue]

Motion approving Final Map 2781, a 2 Lot Airspace Project, located at 146 – 148 South Van Ness Avenue being a subdivision of Lot 046 in Assessors Block No. 3514 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,718; District 6.)

8/19/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

31. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 5, 2008 to August 29, 2008, for reference by President to appropriate committee on September 9, 2008.

- 081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]
Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.
(Planning Department)

8/22/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2008

081153 [Planning Code amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)

8/22/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2008

081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South, for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South, for 16th Street Retail Special Use District bounded generally by Capp Street to the East, San Bruno Avenue to the West, 15th Street to the North and 17th Street to the South; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Planning Department)

8/22/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2008

081155 [Eastern Neighborhoods Area Plans - monitoring program]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements; and adopting environmental findings.
(Planning Department)

8/22/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/9/2008

081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]

Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the sale of bonds, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Mayor)

8/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081161** [Mission Bay North-Acceptance of Land and Improvements for Block N2]
Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance.
(Public Works Department)

8/28/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 5, 2008 to August 29, 2008, for reference by President to appropriate committee on September 9, 2008.

- 081109** [Emergency contract to design, furnish, and install microwave system communication equipment along Hetch Hetchy]
Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to design, furnish, and install a new microwave radio system for Hetch Hetchy.
(Public Utilities Commission)
- 8/8/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081110** [Authorizing the Sheriff's Department to amend its contract with ARAMARK Correctional Services, LLC, for Jail Food Services]
Resolution authorizing the Sheriff's Department to enter into a second amendment to the agreement between the City and County and ARAMARK Correctional Services, LLC, to increase the contract amount from \$15.2 million to an amount not to exceed \$27.0 million and to extend the contract term to June 30, 2010.
(Sheriff)
- 8/5/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081111** [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application]
Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application for the San Francisco Eligible Metropolitan Area (EMA) by the deadline of September 29, 2008, requesting a total amount of \$36,118,233, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2009 through February 28, 2010.
(Public Health Department)

8/8/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 081141 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]**
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.
- 8/6/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081142 [Contract between the Department of Public Health and Triage Consulting Group to provide retroactive claiming of aged accounts services]**
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.
- 8/15/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081151 [Easement Deed and findings related to the SFPUC's New Crystal Springs Bypass Tunnel water infrastructure project]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Crystal Springs Bypass Tunnel Project; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and authorizing and approving the execution, delivery and acceptance of an Easement Deed from the County of San Mateo granting to City certain easement rights in real property located beneath and adjacent to portions of Polhemus Road in San Mateo County.
(Public Utilities Commission)
- 8/22/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081158 [Petitions and Communications]

Petitions and Communications received from August 5, 2008 through August 29, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 9, 2008. Part 1 (Items 1 to 60)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests from: (1)

Max Siegel, Legislative Assistant for Supervisor Gerardo Sandoval

From Department of Elections, regarding disclaimer requirements for local ballot measures: endorse, oppose or take no position on a measure. Copy: Each Supervisor. (2)

From Municipal Transportation Agency, responding to Supervisor Sandoval's inquiry requesting the feasibility of establishing an ALL-WAY STOP at the intersection of Ottawa Avenue at Ellington Avenue. (Reference 20080708-001) (3)

From concerned citizens, commenting on the Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 2 letters. (4)

From concerned citizens, commenting on prohibiting pharmacies from selling tobacco products. File 080594, Copy: Each Supervisor, 7 letters. (5)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 4:30pm on Thursday, August 7, 2008 until 1:50pm on Thursday, August 21, 2008. Copy: Each Supervisor. (6)

From Department of Public Works, regarding status on removing graffiti from various location in District 5. (Reference 20080610-004) (7)

From concerned citizens, commenting on the City's Sanctuary Ordinance. 3 letters. (8)

From Jeanette Berger, commenting on the AT&T "Lightspeed" Telecommunications Network Upgrade. (9)

From Office of the Clerk of the Board, submitting notification of the following City Departments and Agencies who submitted their conflict-of-interest code notice: (10)

Ethics Commission
Film Commission
Rent Board

From Annabella Jimenez, commenting on City's rental and childcare assistance. (11)

From Department of Public Works, regarding status on removing graffiti from various utility poles in District 5. (Reference 20080610-003) (12)

From Department of Public Works, regarding status on removing graffiti from various location in District 5. (Reference 20080610-004) (13)

From Josephine, commenting on mandatory recycling. (14)

From Brenda Hansen, submitting a property listing of Shell service stations that can be purchased for continue use or for redevelopment. (15)

From Department of Public Works, submitting Defective Sidewalk Repair Revolving Account Quarterly Report for the period of April 1, 2008 through June 30, 2008. (16)

From various City Departments, submitting Human Rights Commission – Waiver Request Form: (17)

Department of Human Resources
Fire Department
Human Services Agency
Municipal Transportation Agency
San Francisco Water Department

From Human Rights Commission, regarding Final Annual Appropriation Ordinances, budget turnaround reports, and budget certification letter for fiscal year 2008-2009. (18)

From Department of Telecommunications and Information Services, regarding funding for assessment and remediation relating to the breach of the administration of the City's Fiber Network and potentially other departmental networks. (19)

From various City Departments, submitting notification that the adopted budget for fiscal year 2008-2009 is adequate for the department to meet service levels as proposed by the Board: (20)

Adult Probation
Airport Commission
Clerk of the Board
Department of Building Inspection
Department of Child Support Services
Department of Elections
Department of Emergency Management
Department of Human Resources
Department of Public Works
Department on the Status of Women
Economic and Workforce Development
Employees' Retirement System
Ethics Commission
Fine Arts Museums of San Francisco
Human Rights Commission
Human Services Agency
Juvenile Probation Department
Law Library
Mayor's Office of Housing
Mayor's Office of Community Investment
Medical Examiners
Municipal Transportation Agency
Office of Citizen Complaints
Office of the Assessor-Recorder
Office of the City Attorney
Office of the Controller
Office of the District Attorney
Office of the Public Defender
Office of the Sheriff
Office of the Treasurer and Tax Collector
Planning Department
Police Department
Port of San Francisco

Public Library
Recreation and Park Department
Residential Rent Stabilization and Arbitration Board
San Francisco Children and Families Commission
Superior Court of California, County of San Francisco
War Memorial Department

From Timothy Johnston, commenting on the closure of Marian Residence. Copy: Each Supervisor. (21)

From various City Departments, submitting list of sole source contracts entered into during Fiscal Year 2007-2008: (22)

Arts Commission
Department of Building Inspection

From San Francisco Bay View, submitting a copy of a letter regarding helicopter landing at Hunters Point Shipyard. (23)

From Andy Cummings, urging the Board to vote against the proposed ordinance regarding condominium conversion lottery based on seniority of participation. File 081087, Copy: Each Supervisor. (24)

From Poonam Whabi, commenting on the Chinese government relating to the Tibetan. (25)

From Recreation and Park Department, submitting Childhood Lead Poisoning Prevention Program 4th Quarter Status Report for Fiscal Year 2007-2008. (26)

From Norma Hernandez, submitting copy of letter sent to the Mayor describing her unfortunate experience at the Alice Griffith Projects and suggesting having a police unit at the Alice Griffith Projects 24 hours a day. (27)

From Giordano Bros., commenting on the on-going constructions on Columbus Avenue and Broadway Street. (28)

From Department of Elections, submitting a reminder to the Board regarding the deadline for the disclaimer requirements for local ballot measures. Copy: Each Supervisor. (29)

From Cliff Davis, submitting a complaint letter regarding unfair practices at Monster Park. Copy: Supervisor Daly. (30)

From Michael Crandell, submitting concern regarding severe over-assignment in the City's Workers Compensation Division. Copy: Each Supervisor. (31)

From Mark Glowski, opposing to the proposed ordinance on prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums. File 080438, Copy: Each Supervisor. (32)

From Neil Signo, commenting on menu labeling at chain restaurants. File 080826. (33)

From Department of Public Works, responding to Supervisor Mirkarimi's request for a report on the status of repaving basketball and tennis courts at Grattan Park at Stanyan/Rivoli/Alma and Shrader Streets. (Reference 20080805-004) (34)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference 20080722-004) (35)

From Department of Public Works, regarding status of removing graffiti from various phone switch boxes in District 5. (Reference 20080626-005) (36)

From concerned citizens, commenting on mandatory recycling and composting. Copy: Each Supervisor, 2 letters. (37)

From Lauren E. Goldberg, commenting on various issues relating to public safety. Copy: Each Supervisor. (38)

From Janette Barroca, submitting a copy of a letter to Presidio Historical Association regarding Presidio Walk. (39)

From Dr. Ahimsa Porter Sumchai, submitting an article regarding toxic dust threat in Hunters Point. (40)

From Kimo Crossman, commenting on public comment limited to one minute at the recent Rules Committee meeting. Copy: Each Supervisor. (41)

From Dr. Ahimsa Porter Sumchai, submitting copy of a letter regarding Lennar Corp. (42)

From Port of San Francisco, Annual Contracting Activity Quarterly Report – Fiscal year 2007/08; 4th Quarter Period April 1, 2008 through June 30, 2008. (43)

From John H. Super, commenting on prohibition of selling cigarettes at Rite Aid and Walgreens. Copy: Each Supervisor. (44)

From California Department of Transportation, Proposed Yerba Buena Community Benefit District Assessments Against State Property. (45)

From Department of Elections, Ranked Choice Voting Update: November 4, 2008 Election. (46)

From El Dorado LAFCO, nomination of Ted Long for City Member position on CALAFCO Board. (47)

From Civil Service Commission, Survey of Monthly Rates Paid to Police Officers and Firefighters in All Cities of 350,000 or more in the State of California. (48)

From LAFCO, nomination of Roger Anderson for a Public Member position on CALAFCO Board. (49)

From Lenore Sivilich, requesting that the zoo redefine its mission and focus on rescue and rehabilitation and not exploitation and entertainment. Copy: Each Supervisor. (50)

From SFPD, submitting response to Supervisor Ammiano's inquiry related to the concept of a "Violent Crime Task Force". (51)

From concerned citizens, expressing support for the Community Choice Energy Proposals. Approximately 100 letters (52)

From the Planning Department, draft of Planning Department Action Plan for improving the efficiency of the Department. (53)

From the Public Utilities Commission, "Contract Compliance Analysis of La Grand Tank Replacement Project". Copy: Each Supervisor. (54)

From Member of Public, opposition to cigarette ban in pharmacies. (55)

From Dorothy Hove, opposing naming sewage plant after the President Bush. (56)

From Tom Cooke, opposing health proposals by the Board. Copy: Each Supervisor. (57)

From John Hamlin, commenting on death of Bologna family members. (58)

From Department of Public Works, report on use of funds appropriated from the Local Street and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. (59)

From concerned citizens, urging Board support for Supervisor Daly's zoo reform ordinance. File 080818; email (70), letters (2) (60)

081159 [Petitions and Communications, Part 2]

Petitions and Communications received from August 5, 2008 through August 29, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 9, 2008. Part 2 (Items 61 to 120)

From Department of Public Works, regarding status of removing graffiti from phone switch boxes at various locations in District 5. (Reference No. 20080805-005) (61)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20080722-007) (62)

From Nancy Wuerfel, submitting copy of letter sent to the General Manager of the Recreation and Park Department requesting the immediate release of the unedited and unredacted "Recreational Opportunities Study – Summer Report, July 2008." Copy: Each Supervisor (63)

From James Keyes, regarding the constant closure of Boedekker Park in the Tenderloin. (64)

From concerned citizens, commenting on San Francisco Recreation and Park Department leadership issues. 10 letters (65)

From Ahimsa Sumchai, commenting on the redacting policy from all communications sent to the supervisors by members of the public. (66)

From Municipal Transportation Agency, regarding the status of safety improvements at the intersection of Fell Street and Masonic Avenue. File 080186 (67)

From Human Services Agency, submitting request for release of funding reserved in the fiscal year 2008-09 Budget. (68)

From S.F. Redevelopment Agency, regarding the "Martini Park" nightclub proposal for the former Chalkers Billiard space in the Rincon Annex at 1 Spear Street. Copy: Supervisor Daly, City Operations and Neighborhood Services Committee Clerk (69)

From concerned citizens, submitting opposition to the "Sanctuary City" Ordinance. 2 letters (70)

From Nick Hansen, urging the City to register San Francisco County Vietnam War memorials with the California Department of Veterans Affairs. (71)

From Douglas Saum, submitting support for adding Chet Helms name to "Speedway Meadows" making it "Chet Helm's Speedway Meadows" in Golden Gate Park. (72)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20080805-008) (73)

From Department of Public Works, regarding status of removing graffiti from emergency boxes and fire hydrants at various locations in District 5. (Reference No. 20080805-007) (74)

From Alvin John, regarding the basis of a discrimination appeal and deposition of Denise Merlo. (75)

From Kimo Crossman, regarding an article about red light cameras. Copy: Each Supervisor. (76)

From Nancy Wuerfel, regarding an immediate release of an original golf report from the Recreation and Park Department. (77)

From SFUSD, information copy of the School District's response to the 2007-2008 Grand Jury Report entitled "San Francisco Kindergarten Admission: Back to the Drawing Board". (78)

From Mayor Newsom, response to the 2007-2008 Civil Grand Jury Report, "Accountability in San Francisco Government." (79)

From Adam Romero, Jr., regarding termination of employment from the Sheriff's Department. (80)

From concerned citizens, opposing the Outside Lands concert in Golden Gate Park. 4 letters. (81)

From Sue Cauthen, forwarding a letter from the Library Citizens Advisory Committee regarding the North Beach Library. (82)

From Police Department, regarding status on the concept of a "Violent Crime Task Force" and whether the Department has considered implementation of such a task force. (Reference 20080716-002) (83)

From Department of Public Works, regarding status on removing graffiti from private property in various locations in District 5. Copy: Supervisor Mirkarimi (Reference 20080722-003) (84)

From Clerk of the Board, submitting notice to the Board members of the Mayor's appointments to various Boards and Commissions. (85)

From Mayor Newsom, responding to the 2007-2008 Civil Grand Jury Report, "A Year of Five Elections for the City/County of San Francisco." (86)

From Mayor Newsom, responding to the 2007-2008 Civil Grand Jury Report, "San Francisco Kindergarten Admissions: Back to the Drawing Board." (87)

From Office of the Controller, responding to the 2007-2008 Civil Grand Jury Report, "Accountability in San Francisco Government." 2 letters (88)

From Mayor Newsom, responding to the 2007-2008 Civil Grand Jury Report, "Fits and Starts: The Response of San Francisco Government to Past Civil Grant Jury Recommendations." (89)

From Department of Telecommunications and Information Services, responding to the 2007-2008 Civil Grand Jury Report, "Accountability in San Francisco Government." (90)

From Mayor Newsom, submitting notice of designation of Supervisor Sean Elsbernd as Acting-Mayor during the Mayor's absence August 24, 2008 to August 29, 2008. (91)

From Office of the Treasurer, submitting portfolio statistics from July 1, 2008 to July 31, 2008. (92)

From San Francisco Public Library, responding to the 2007-2008 Civil Grand Jury Report, "Accountability in San Francisco Government." (93)

From SF Public Utilities Commission, regarding a Request for Supplemental Appropriation (\$86,367,000) to fund construction of the Crystal Springs Bypass Tunnel project. (94)

From State of California Fish and Game Commission, submitting copy of notice of proposed regulatory action relating to Morro Bay State Marine Recreational Management Area, Elkhorn Slough State Marine Reserve and Dana Point State Marine Park. (95)

From Cole Thomason-Redus, commenting on the welfare of San Francisco's parks system. (96)

From Port of San Francisco, regarding authorization request to increase the amount of Contract Service Orders to Weiss Associates for as-needed environmental consulting services. (97)

From San Francisco Environment, regarding PG&E Smart Meter Upgrade Proposal. File 080849 (98)

From Andrea O'Leary, commenting on Sunnyside Playground and Park. (99)

From Jonathan Bonato, commenting on being homeless in San Francisco. (100)

From Jennifer Bruce, commenting on tour buses stopping in the Castro. (101)

From SF Redevelopment Agency, submitting status on certain sales subject to California Health and Safety Code, Section 33433. (102)

From August Zajonc, commenting on the Below Market Rate program. File 080520, Copy: Each Supervisor (103)

From James Wald, commenting on the Immigrant Rights Commission. (104)

From Marianne Bennett Budin, submitting opposition to any new taxes or fees to be considered for proposal. Copy: Each Supervisor (105)

From concerned citizens, submitting opposition to the proposed ban prohibiting pharmacies from selling tobacco products. 2 letters (106)

From Patrick Monette-Shaw, commenting on an article published in the Chronicle regarding the City's proposed involvement in a lawsuit filed in State court to prevent cuts to Medi-Cal (107)

From Kerry Fischer, commenting on young immigrant offenders being permitted to remain in the City and being assisted with housing. (108)

From Todd Clobes, commenting on illegal activity in San Francisco. (109)

From Southeast Community Facility Commission, submitting Annual Statement of Purpose and Annual Report July 1, 2007 – June 30, 2008. (110)

From Clerk of the Board, submitting notice to the Board members which City departments and agencies have submitted their conflict-of-interest code notice to the Clerk of the Board. (111)

From Alvin Johnson, regarding his appeal of the discrimination and retaliatory actions pursued by DHR, DTIS and ECD. 9 letters (112)

From Alvin Johnson, regarding a network security violation and CSI-technology. 2 letters (113)

From Richard Skaff, commenting on a recent email he received from the Mayor's Office on Disability. (114)

From Department of Elections, regarding the revised Controller's statement for Proposition H. Copy: Each Supervisor (115)

From Department of Elections, submitting its response to the findings and recommendations from the 2007/08 Civil Grand Jury. (116)

From Department of Telecommunications and Information Services, submitting its response to the findings and recommendations from the 2007/08 Civil Grand Jury. (117)

From the State Department of Transportation, regarding the proposed Yerba Buena Community Benefit District assessment that includes the State highway operating right of way designated at Parcel 3761-063. File 080816, Copy: Each Supervisor (118)

From Sue Kirkham, submitting support for the N.E.R.T. program sponsored by the San Francisco Fire Department. (119)

From Kathryn Hyde, submitting opposition to the proposed Presidio expansion and development plans. File 081116, Copy: Each Supervisor (120)

APPOINTMENTS BY THE MAYOR

Arts Commission
Lorraine Garcia-Nakata
John Calloway
Cass Calder Smith

Commission on Aging
Raymond Del Portillo
Rosario Carrion-Di Ricco
Gustavo Serina

Fire Commission
Andrea Evans

Recreation and Park Commission
Tom Harrison
Gloria Bonilla
Meagan Levitan

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

**City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors**

General Notice

Transmitted: September 5, 2008

A public hearing will be held on September 16, 2008 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Comments may be mailed to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Documents relating to this matter are also available for inspection at the address above.

FILE NO. 081137

Appeal of Final Supplemental Environmental Impact Report for Central Subway Project

Hearing of persons interested in or objecting to the decision of the Planning Commission's August 7, 2008 certification of a Final Supplemental Environmental Impact Report identified as Planning File No. 1996.281E, through its Motion No. M-17668, for the proposed Central Subway Project, located along and under Fourth Street and under Stockton Street in the Downtown, Chinatown and North Beach Areas with a surface station at Fourth/Brannan and underground stations at Moscone, Union Square/Market Street and Chinatown and construction tunnel under Columbus Avenue to Washington Square. (Appellants: John Eiberling filed on August 20, 2008; Gerald Cauthen and Howard Wong filed on August 27, 2008; and James W. Andrew filed on August 27, 2008.)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Supplemental Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DOCUMENTS DEPT.

SEP - 8 2008

SAN FRANCISCO

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 16, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT.

SEP 11 2008

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PUBLIC LIBRARY

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía del viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sof@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

1. 080233 [Urban Forestry Council - Membership]
Supervisor McGoldrick
Ordinance amending the San Francisco Environment Code by amending Section 1202 to reconstitute the membership of the Urban Forestry Council to eleven members.

9/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

2. **080686** **[Landmark tree designation of Monterey Cypress at 2626 Vallejo Street]**
 Supervisor Alioto-Pier
 Ordinance designating the Monterey Cypress at 2626 Vallejo Street (Assessor's Block 0953, Lot 006) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

9/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **080687** **[Landmark designation of Manzanita at 115 Parker Avenue]**
 Supervisor Alioto-Pier
 Ordinance designating the Manzanita at 115 Parker Street (Assessor's Block 1064, Lot 002) as a landmark notwithstanding the provisions contained in the Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark designation.

9/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

4. 081014 [In-Home Supportive Services - Public Authority]

Supervisor Peskin

Ordinance amending Administrative Code Chapter 70, regarding the In-Home Supportive Services Public Authority, to eliminate obsolete terms and amending Section 70.2 to provide compensation for members of the governing body for attending meetings.

9/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

9/9/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

5. 080235 [First Source Hiring Ordinance - expanding scope of covered permits in Market and Octavia Plan]

Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 83.2, 83.4, and 83.6 to: (1) expand the scope of permits that the ordinance applies to in the Market and Octavia Area Plan; (2) place new reporting requirements on the First Source Hiring Administration that include reporting first source statistics on permittees, as defined under the ordinance, and (3) require contractors and permittees to cooperate with reasonable requests for information from the First Source Hiring Administration.

9/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

**6. 080564 [Establishing a Reentry Council]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.1-1 through 5.1-6 to: establish a Reentry Council; set forth the Council's purpose, powers and duties; and establish membership criteria.

8/12/2008, PASSED ON FIRST READING.

9/9/2008, AMENDED.

9/9/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

**7. 080818 [Recreation and Park - San Francisco Zoo Policies and Oversight]
Supervisor Daly**

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; is committed to education and conservation, and makes animal welfare a priority; and to establish a Zoo Animal Welfare Oversight Advisory Committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met.
(Supervisor Duffy dissented in committee.)

9/9/2008, CONTINUED. Continued to September 16, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi

8. 081096 [Setting San Francisco's fiscal year 2008-2009 property tax rate and establishing pass-through rate for residential tenants]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 081097 [Setting San Francisco Community College District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the San Francisco Community College District purposes for the fiscal year ending June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 081098 [Setting San Francisco Unified School District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the San Francisco Unified School District purposes for the fiscal year ending June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 081099 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 081057 [Appropriating \$110,632 of Community Improvement Impact Fee revenue for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009]
Supervisor Maxwell
Ordinance appropriating \$110,632 of Community Impact Fee revenue from the Visitacion Valley Infrastructure Fund for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 080948 [Amendment to Real Property Ownership Agreement]**Supervisor Elsbernd**

Resolution approving an amendment to the Real Property Ownership Agreement between the Peninsula Corridor Joint Powers Board, San Mateo County Transit District, the City and County of San Francisco and the Santa Clara Valley Transportation Authority to fully resolve all outstanding financial issues related to repayment of SamTrans for its additional contribution for the acquisition of the Caltrain right-of-way, and to designate SamTrans as the managing agency of the Joint Powers Board.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

14. 081077 [Approval of Mental Health Services Act (MHSA) FY08-09 Annual Community Services and Supports Plan Update]

Resolution authorizing adoption of the Mental Health Services Act Fiscal Year 2008-2009 Annual Community Services and Supports (CSS) Plan Update and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement and authorizing the Department of Public Health to accept and expend the additional State MHSA funds totaling \$1,766,236.

(Public Health Department)

Question: Shall this Resolution be ADOPTED?

15. 081090 [Issuance and Sale of Tax-Exempt Bonds - Pacific Primary - \$6,000,000]**Supervisor Mirkarimi**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$6,000,000 to finance various capital facilities owned by Pacific Primary, a California nonprofit corporation, or an affiliate thereof.

Question: Shall this Resolution be ADOPTED?

16. 081128 [FY 2008-2009 California Constitution Appropriations Limit]**Supervisor Peskin**

Resolution establishing the appropriations limit for Fiscal Year 2008-09 pursuant to California Constitution Article XIII B.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

17. 081019 [Public Employment - Deputy Chief 3 - Police Department]

Supervisor Duffy

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of 2 positions (1.50 FTE) Class 0402 – Deputy Chief 3 in the Police Department.

(Supervisor McGoldrick dissented in committee.)

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

18. 080913 [Hearing - Broadway Entertainment Corridor Community Benefit District]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

7/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

The election and public hearing were continued to September 16, 2008 at 3:00 p.m.

Action: _____

19. 080914 [Establishing the Broadway Entertainment Corridor Community Benefit District]
Supervisor Peskin

Resolution establishing a property-based business improvement district to be known as the "Broadway Entertainment Corridor Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for ten years, commencing with fiscal year 2008-2009, subject to conditions as specified, and making environmental findings.

7/29/2008, CONTINUED. Continued to September 16, 2008 at 3:00 p.m.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

20. 081137 [Public Hearing - Appeal of Final Supplemental Environmental Impact Report for Central Subway Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's August 7, 2008 certification of a Final Supplemental Environmental Impact Report identified as Planning File No. 1996.281E, through its Motion No. M-17668, for the proposed Central Subway Project, located along and under Fourth Street and under Stockton Street in the Downtown, Chinatown and North Beach Areas with a surface station at Fourth/Brannan and underground stations at Moscone, Union Square/Market Street and Chinatown and construction tunnel under Columbus Avenue to Washington Square. (Appellants: John Elberling filed on August 20, 2008; Gerald Cauthen and Howard Wong filed on August 27, 2008; and James W. Andrew filed on August 27, 2008.)
(Filed - August 20, 2008 and August 27, 2008; companion measure to Files 081138, 081139, 081140.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Supplemental Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 081138 [Affirming certification of Central Subway Project Final Supplemental EIR]
Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.
- Question: Shall this Motion be APPROVED?
22. 081139 [Disapproving certification of Central Subway Project Final Supplemental EIR]
Motion disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for Central Subway Project.
- Question: Shall this Motion be APPROVED?
23. 081140 [Preparation of findings to disapprove certification of Central Subway Project Final Supplemental EIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.
- Question: Shall this Motion be APPROVED?

24. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

25. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 26 through 36

26. 081206 [90 day extension for Planning Commission review - The Metro Theatre]
Supervisor Alioto-Pier
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
27. 081207 [Accept and Expend State Grant - Funding two Environmental Health programs - \$8,250]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant in the amount of \$8,250 from the California Department of Food and Agriculture (CDFA) funding two programs, the Petroleum Products Compliance program and the Weighmaster Enforcement Program; for the period of July 1, 2008 through June 30, 2009.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
28. 081208 [Sea Otter Awareness Week - September 21-27, 2008]
Supervisor Peskin
Resolution declaring September 21-27, 2008 Sea Otter Awareness Week in San Francisco.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 081209 [Accept and Expend State Grant - To support pest exclusion activities - \$47,731.06]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$47,731.06 from the California Department of Food and Agriculture (CDFA) to support the Light Brown Apple Moth Program; for the period of July 1, 2008 through June 30, 2009.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

30. 081210 [Grant to fund a study through the HIV Prevention Section, Department of Public Health - \$13,242]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$13,242 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM;" for the period of August 1, 2008 through July 31, 2009.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. 081211 [Grant funds to support worker health and safety - \$7,580]
Supervisor Chu
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$7,580 from the University of California, Berkeley for year two of a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of September 1, 2008 through August 31, 2009.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
32. 081212 [Extended Producer Responsibility Framework]
Supervisor McGoldrick
Resolution urging the California State Legislature to enact legislation based on the Extended Producer Responsibility Framework policy adopted by the California Integrated Waste Management Board that will shift costs and responsibilities for waste management from local governments to the producers of products and incentivize product redesign.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
33. 081213 [Celebrating the success of the Outside Lands Music and Arts Festival]
Supervisor Mirkarimi
Resolution commending Another Planet Entertainment, Superfly Presents, Starr Hill Presents, the Recreation and Park Department, the Mayor's Office, the San Francisco Bicycle Coalition, the San Francisco Police Department, the Municipal Transportation Agency, the Department of Public Works, and the Department of Parking and Traffic for the outstanding success of the Outside Lands Music and Arts Festival.
- 9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

34. 081214 [Health plans that provide health insurance coverage to San Francisco employees to provide comprehensive smoking cessation benefits]
Supervisor Daly
Resolution urging all health plans that provide health insurance coverage to employees in the City and County of San Francisco to offer comprehensive smoking cessation benefits.

9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 080711 [Final Map - 480 14th Street]
Motion approving Final Map 4547, a 12 Unit Residential Condominium Project, located at 480 14th Street being a subdivision of Lot 166 in Assessors Block No. 3533 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Motion be APPROVED?

36. 080763 [Final Map - 901 Bush Street]
Motion approving Final Map 5181, a 38 Unit Residential Condominium Project, located at 901 Bush Street being a subdivision of Lot 001 in Assessors Block No. 0282 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)

9/3/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

37. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 30, 2008 to September 8, 2008, for reference by President to appropriate committee on September 16, 2008.

081165 [Settlement of Lawsuit - Twylah Sperka - \$49,000]

Ordinance authorizing settlement of the lawsuit filed by Twylah Sperka against the City and County of San Francisco for \$49,000; the lawsuit was filed on February 26, 2007 in San Francisco Superior Court, Case No. 460-772; entitled Twylah Sperka v. City and County of San Francisco, et al.
(City Attorney)

9/9/2008, RECEIVED AND ASSIGNED to Rules Committee.

081166 [Settlement of Lawsuit - J. Hadley Loudon - \$35,000]

Ordinance authorizing settlement of the lawsuit filed by J. Hadley Loudon against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 5, 2006 in San Francisco Superior Court, Case No. 06-452880, entitled J. Hadley Loudon v. Sgt. Sorgie et al., and removed to the United States District Court, Northern District of California, Case No. 06-04762 MHP, on August 7, 2006.
(City Attorney)

9/4/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 30, 2008 to September 8, 2008, for reference by President to appropriate committee on September 16, 2008.

081164 [Amending a contract's dollar amount by more than \$500,000]

Resolution approving the Fifth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$17,540,000, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)

9/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081167** **[Lease of Real Property at 1700-1740 17th Street and 1415 16th Street, San Francisco]**
Resolution authorizing the lease of property, with a first right of refusal to purchase, comprising approximately 52,125 square feet of improvements upon a lot area of 62,373 square feet, located at 1700-1740 17th Street and 1415 16th Street (Assessor's Block 3955, Lot 002) in San Francisco for the San Francisco Police Department.
(Real Estate Department)

9/8/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081168** **[Agreement with PRWT Services, Inc. for Citation Processing Services]**
Resolution authorizing a five year agreement, with option to renew for up to an additional five years, with PRWT Services, Inc. for an amount not to exceed \$53.5 million.
(Municipal Transportation Agency)

9/9/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081220 [Petitions and Communications]

Petitions and Communications received from August 30, 2008 through September 8, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 16, 2008.

From various City Departments, submitting notification that the adopted budget for fiscal year 2008-2009 is adequate for the department to meet service levels as proposed by the Board. (1)

Office of the Mayor -
Office of the City Administrator
Department of Telecommunications and Information Services
Employees Retirement System
California Academy of Sciences
Asian Art Museum
Health Services System
Fire Department
Department of Children Youth & Their Families
Office of the Controller—Budget & Analysis Division
Department of the Environment
Civil Service Commission

From Coalition for San Francisco Neighborhoods, regarding rescheduling hearing of Appeal of FEIR for the Eastern Neighborhoods Rezoning and Area Plans. File No. 081133 (2)

From John Wardell, submitting opposition to building the Golden Gate Bridge Barrier. (3)

From Gerald Cauthen & Howard Wong, regarding requesting extension for Board hearing on Central Subway Project Appeal of Final Supplemental Environmental Impact Report – Planning Motion M-17668. File No. 081137, Copies: Each Supervisor. (4)

From Mayor's Office of Community Investment, submitting Responses to Finding and Recommendations Report of the 2007-2008 San Francisco Civil Grand Jury. Copy: Government Audit and Oversight Clerk (5)

From Controller's Office, Budget Division, regarding FY 2008-09 AAO & Turnaround Reports and submitting notification that the adopted budget for fiscal year 2008-2009 is adequate for the department to meet service levels as proposed by the Board. (6)

From SFPD – Administration Bureau, submitting response to Grand Jury Report Fits and Starts. (7)

From concerned citizen, regarding the City issuing ID cards for Illegal Immigrants. (8)

From Department of Elections, submitting response to Civil Grand Jury Report "A Year of Five Elections for the City and County of San Francisco". Copy: Government Audit & Oversight Clerk (9)

From concerned citizens, submitting opposition for proposed ordinance to establish San Francisco Zoo as a rescue facility and to establish a Zoo Animal Welfare Oversight Advisory Committee. File No. 080818, Copies: Each Supervisor. Received Approximately 500+ petition signatures and 20 Letters. (10)

From concerned citizens, submitting support for proposed ordinance to establish San Francisco Zoo as a rescue facility and to establish a Zoo Animal Welfare Oversight Advisory Committee. File No. 080818, Copies: Each Supervisor. Received 39 Letters. (11)

From Elections Commission, submitting response to Civil Grand Jury Report "A Year of Five Elections for the City and County of San Francisco". (12)

From Jean Marie Lescoghier, submitting opposition to proposed Smoking Ordinance. File No. 080438 (13)

From US Army Corps of Engineers, submitting SF District Public Notice regarding Cooley Ranch Vineyard Project. (14)

From Eula Walters, submitting opposition to a Plaque for Ms. Ernestine Weiss to be placed permanently on Ferry Park. (15)

From Fire Department, submitting a waiver request to rent meeting space at the Cathedral Hill Hotel for the administration of the first component of the H-4 Inspector examination. (16)

From Fire Department, submitting a waiver request to rent sleeping rooms and meeting space at the Holiday Inn Fisherman's Wharf for the ratings of the second component of the H-20 Lieutenant examination. (17)

From Andrew Hart, expressing concerns regarding the non profit organization Swords to Plowshares in the City. (18)

From Alvin Johnson, submitting a letter regarding threats and retaliation from various City departments. (19)

From Community Leadership Alliance, submitting concerns regarding the proposed ordinance on prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums. File 080438. (20)

From Parkmerced Residents Organization, submitting concerns regarding various proposed ordinances on property tax rate for fiscal year 2008-2009. File 081096 & 081097, Copy: Each Supervisor. (21)

From EDAW Inc., submitting Notice of Preparation and Notice of Intent regarding the Yerba Buena Island Ramps Improvement Project. Copy: Each Supervisor. (22)

From a concerned citizen, submitting suggestion on changing the name of Golden Gate Park's "Speedway Meadows" to honor Chet Helms. (23)

APPOINTMENTS BY THE MAYOR

Human Rights Commission
August Longo

Golden Gate Park Concourse Authority
Mark Dunlop

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 23, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the August 12, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 081096 [Setting San Francisco's fiscal year 2008-2009 property tax rate and establishing pass-through rate for residential tenants]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2009.

9/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
2. 081097 [Setting San Francisco Community College District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the San Francisco Community College District purposes for the fiscal year ending June 30, 2009.

9/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 081098 [Setting San Francisco Unified School District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the San Francisco Unified School District purposes for the fiscal year ending June 30, 2009.

9/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. 081099 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2008-2009 property tax rate to be included in the City's overall property tax rate]
Supervisor Peskin
Ordinance providing revenue and levying property taxes for the San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2009.

9/16/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. 081057 [Appropriating \$110,632 of Community Improvement Impact Fee revenue for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009]
Supervisor Maxwell
Ordinance appropriating \$110,632 of Community Impact Fee revenue from the Visitacion Valley Infrastructure Fund for Leland Avenue Streetscape Improvements in the Department of Public Works for Fiscal Year 2008-2009.

9/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

6. **081019** **[Public Employment - Deputy Chief 3 - Police Department]**
Supervisor Dufty
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of 2 positions (1.50 FTE) Class 0402 – Deputy Chief 3 in the Police Department.
(Supervisor McGoldrick dissented in committee.)
(Fiscal Impact.)

9/16/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

7. **080521** **[Citywide Affordable Housing Preference for Certificate of Preference Holders]**
Supervisors Mirkarimi, Dufty, Maxwell
Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

9/9/2008, CONTINUED. Continued to September 23, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

8. 081084 [Authorizing the Department of Public Health to perform and award contracts for public work under a specified procedure]
Supervisor Elsbernd
Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 081071 [Approval of CPMC Lease Termination Agreement at One South Van Ness Avenue]
Resolution retroactively approving a Lease Termination Agreement between the City, as landlord, and CPMC, as tenant, for approximately 127,638 square feet of office space on the 4th and 8th floors of One South Van Ness Avenue, and the subsequent occupancy of the 4th floor space by the Department of Human Resources and the 8th floor space by the Municipal Transportation Agency.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

10. 081073 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2008 to September 30, 2009.
(Treasure Island Development Authority)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

11. 081075 [Airport Concession Lease]
Resolution approving the Boarding Area "F" Pharmacy, Health and Beauty Store Lease between Harmony Pharmacy and Health Center, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.

Question: Shall this Resolution be ADOPTED?

12. 081079 [Amendment to leases of Real Property at 3120 Mission and 3425 Cesar Chavez Streets]
Resolution authorizing the Amendment to leases at 3120 Mission and 3425 Cesar Chavez Streets for the Department of Human Services.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

13. 080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]
Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53.
(Public Works Department)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]
Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Seismic Compliance Hospital Replacement Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53.
(Public Works Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

15. 081102 [MOU, Amendment No. 2 - Municipal Attorneys' Association]
Mayor
Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 081103 [MOU - Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Maxwell

17. 081107 [MOU - SF Police Officers' Association (SFPOA), P-2B]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), P-2B, to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

18. 081074 [Changing the official sidewalk width - Harrison Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 081087 [Condominium conversion lottery based on seniority of participation]
Supervisor McGoldrick
Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

20. 081133 [Public Hearing - Appeal of Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project]

Hearing of persons interested in or objecting to the Planning Commission's August 7, 2008, certification of a Final Environmental Impact Report identified as Planning No. 2004.0160E, through it's Motion No. 17659, for a proposed Eastern Neighborhoods Rezoning and Area Plans project, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, and adoption of interim historic preservation procedures. The Plan Area generally includes the eastern portion of the South of Market Area ("East SOMA"), The Mission, Showplace Square/Potrero Hill, and the Central Waterfront Neighborhoods of San Francisco and making other related findings. (Appellants: Chris Durazo, Filed 8/8/08; and Gary Noguera, Filed 8/27/08) (Filed 8/8/08 and 8/27/08; companion measure to Files 081134, 081135, 081136.)

9/9/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 23, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 081134 **[Affirming certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project.
(Clerk of the Board)
- 9/9/2008, CONTINUED. Continued to September 23, 2008
Question: Shall this Motion be APPROVED?
22. 081135 **[Disapproving certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project.
(Clerk of the Board)
- 9/9/2008, CONTINUED. Continued to September 23, 2008
Question: Shall this Motion be APPROVED?
23. 081136 **[Preparation of findings to disapprove certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans FEIR.
(Clerk of the Board)
- 9/9/2008, CONTINUED. Continued to September 23, 2008
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, September 18, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 23, 2008.

24. 081048 [Reappointment, Board of Appeals - Frank Fung]
Motion approving the Mayor's reappointment of Frank Fung to the Board of Appeals, for the term ending July 1, 2012.
(Mayor)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 25, 2008).
- Question: Shall this Motion be APPROVED?
25. 081049 [Reappointment, Board of Appeals - Frank Fung]
Motion rejecting the Mayor's reappointment of Frank Fung to the Board of Appeals, for the term ending July 1, 2012.
(Mayor)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 25, 2008).
- Question: Shall this Motion be APPROVED?
26. 081050 [Reappointment, Board of Appeals - Tanya Peterson]
Motion approving the Mayor's reappointment of Tanya Peterson to the Board of Appeals, for the term ending July 1, 2012.
(Mayor)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 25, 2008).
- Question: Shall this Motion be APPROVED?

27. 081051 [Reappointment, Board of Appeals - Tanya Peterson]
Motion rejecting the Mayor's reappointment of Tanya Peterson to the Board of Appeals, for the term ending July 1, 2012
(Mayor)
(Section 4 106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 25, 2008).

Question: Shall this Motion be APPROVED?

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 30 through 34

30. 081213 [Celebrating the success of the Outside Lands Music and Arts Festival]
Supervisor Mirkarimi
Resolution commending Another Planet Entertainment, Superfly Presents, Starr Hill Presents, the Recreation and Park Department, the Mayor's Office, the San Francisco Bicycle Coalition, the San Francisco Police Department, the Municipal Transportation Agency, the Department of Public Works, and the Department of Parking and Traffic for the outstanding success of the Outside Lands Music and Arts Festival.

9/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/16/2008, CONTINUED. Continued to September 23, 2008

Question: Shall this Resolution be ADOPTED?

- 31. 081238 [Extending sunset date of the Peak Oil Preparedness Task Force]**
Supervisor Mirkarimi
Resolution extending the sunset date of the Peak Oil Preparedness Task Force for not more than six months.
- 9/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 32. 081239 [Commending Yomi Agunbiade, General Manager of the Recreation and Parks Department, for his dedicated service]**
Supervisors Elsbernd, Chu, Mirkarimi, Maxwell, Peskin, Alioto-Pier, Dufty
Resolution commending Yomi Agunbiade, General Manager of the Recreation and Parks Department, for his dedicated service.
- 9/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 33. 081240 [30 day halt to Department of Public Works' mechanical street sweeping changes]**
Supervisor Alioto-Pier
Resolution urging the Department of Public Works to immediately halt the implementation of the changes to the mechanical street sweeping program for 30 days.
- 9/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 34. 081241 [Accept-Expend State Grant - Life and Annuity Consumer Protection Program - \$25,000]**
Supervisor Chu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$25,000 through the California Department of Insurance, Life and Annuity Consumer Protection Fund, for a program entitled "Life and Annuity Consumer Protection" for fiscal year July 2008 through June 2009.
- 9/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

Questions on the For Adoption Without Committee Reference Agenda: _____

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 9, 2008 to September 15, 2008, for reference by President to appropriate committee on September 23, 2008.

081205 [Settlement of Lawsuit, Gladys DeWitt - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Gladys DeWitt against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 19, 2007 in San Francisco Superior Court, Case No. 459735, and removed, on July 27, 2007, to United States District Court for the Northern District of California, Case No. C-07-03791 PJH, entitled DeWitt v. City and County of San Francisco, et al.

9/9/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 9, 2008 to September 15, 2008, for reference by President to appropriate committee on September 23, 2008.

081215 [Appointment, Transbay Joint Powers Authority - Carter R. Rohan]

Resolution confirming the appointment of Mr. Carter R. Rohan, R. A. (Senior Director of Transportation Planning and Development Division of the San Francisco Municipal Transportation Agency) to serve on the Transbay Joint Powers Authority as an Alternate Member when SFMTA Executive Director/CEO Nathaniel P. Ford, Sr. is unable to attend.

9/12/2008, RECEIVED AND ASSIGNED to Rules Committee.

081217 [Approval of five contracts for the Department of Public Health]

Resolution authorizing the San Francisco Department of Public Health to enter into five contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 and January 1, 2009 through June 30, 2013 and December 31, 2013.

(Public Health Department)

9/16/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081218 [Amendment to Settlement Agreement with Pacific Gas and Electric Company]

Resolution authorizing the Port to execute an amendment to the settlement agreement between Pacific Gas and Electric Company (PG&E) and the City and County of San Francisco, dated June 14, 2005, regarding a claim of encroachment by PG&E's Hunter's Point Power Plant on Custer, Davidson, India and Ingalls Streets, by: (1) extending PG&E's right to continue occupying approximately 35,465 square feet of Custer and Davidson Streets until July 31, 2012, and to continue occupying approximately 56,484 square feet of Custer, Davidson, India and Ingalls Streets until July 31, 2016, with option to extend each period of occupancy for periods of 6 months at a time with the Port's prior written consent; and (2) delaying the commencement date of a 5-year lease to PG&E of approximately 1,421 square feet of Davidson Street from January 1, 2008 to August 1, 2012.

(Port)

9/11/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081242 [Petitions and Communications]

Petitions and Communications received from September 9, 2008 through September 15, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 23, 2008.

From concerned citizens, submitting opposition to the Transportation Effectiveness Project (TEP)'s revised recommendations for shortening the "M" line streetcar so that it stops at San Francisco State University. Copy: Supervisor Sandoval. Received 5 Letters. (1)

From Board of Appeals, submitting notifications that the adopted budget for fiscal year 2008-2009 is adequate for the department to meet service levels as proposed by the Board. (2)

From concerned citizens, submitting support to change Golden Gate Park's "Speedway Meadows" to honor Chet Helms. Received 3 Letters. (3)

From concerned citizens, submitting support for Community Choice Energy Aggregation. Received 23 Letters. (4)

From State of California – Department of Health Care Services, regarding Foster Care Administrative County Match Budget Revision #1 – Fiscal Year 2007-2008. (5)

From Gladstone & Associates, regarding Hearing on the Eastern Neighborhoods Rezoning Plan. File No. 081152. (6)

From Office of the Treasurer and Tax Collector, submitting Review of the Statement of Cash and Investments as of March 31, 2008. (7)

From Residential Rent Stabilization and Arbitration Board, submitting Rent Board Annual Statistical Report 2007-08. Copies: Each Supervisor. (8)

From Municipal Transportation Agency, submitting Response to the San Francisco Board of Supervisor's Resolution No. 73-08. (9)

From Department on the Status of Women, submitting a copy of letter sent to San Francisco Civil Grand Jury commending them for their hard work in the area of housing and services for San Francisco's homeless population. Copy: Government Audit and Oversight Clerk. (10)

From concerned citizens, submitting support for the Appeal of Certification of the Central Subway Final Supplemental Environmental Impact Report – Planning Motion M-17668. File No. 081137, Copies: Each Supervisor. Received 2 Letters. (11)

From Mr. & Mrs. Moose, submitting opposition for the Appeal of Certification of the Central Subway Final Supplemental Environmental Impact Report – Planning Motion M-17668. File No. 081137, Copy: Each Supervisor. (12)

From various City departments, submitting a copy of letter to Judge David L. Ballati regarding Response to 2007-2008 Civil Grand Jury Report "The Homeless Have Homes, But They Are Still On The Street". Copies: Each Supervisor and Government Audit & Oversight Clerk. (13)

Children Youth & Their Families
Human Services Agency
Office of the Mayor

From concerned citizens, urging the Board to preserve the Hospice at Laguna Honda. Received 2 Letters. (14)

From Michael Goldstein, submitting resignation email for his seat (#4) on the Marijuana Offenses Oversight Committee. Copy: Rules Clerk. (15)

From Department of Building Inspection, submitting Response to City Grand Jury Recommendations "Fits and Starts". Copy: Government Audit & Oversight Clerk. (16)

From John I. Luna, regarding an On-Sale General Alcoholic Type 48 Liquor License for "The 289 Bar", located at 289 Eighth Street. (17)

From SF Water Department, submitting a copy of Waiver Request Form for outside contractor (Northern Energy). (18)

From concerned citizens, Seeking the Board's assistance with concerns regarding the Administration and Chief Nursing Officer at Laguna Honda Hospital. (19)

From Alvin Johnson, regarding Appeal of Rejection for Application for SFPD-CIO 0941 Manager VI Position. (20)

From Alvin Johnson, expressing concerns regarding Civil Service Reform in the City. (21)

From concerned citizen, submitting comments regarding the tragic event that occurred on September 11, 2001 in our country. (22)

From Tracie Broom, submitting support for the letter that Supervisor Ammiano wrote to all City Departments regarding the ongoing violence in District 9. Copy: Supervisor Ammiano. (23)

From Bonnie Birk, submitting opposition to recently passed Ordinance (#194-08), which prohibits Pharmacies from selling tobacco products. (24)

From Laurie Estrada, expressing various concerns in District 9. Copy: Supervisor Ammiano. (25)
From Community Leadership Alliance, expressing concerns regarding proposed ordinance to prohibit smoking in enclosed areas, certain enclosed areas, and sports stadiums. File No. 080438 (26)

From concerned citizens, submitting opposition to converting the Zoo to a Rescue Facility. File No. 080818, Copies: Each Supervisor, Received 2 Letters. (27)

From concerned citizens, submitting support for the proposed ordinance to make SF Zoo a Rescue Facility, File No. 080818, Copies: Each Supervisor. Received 7 Letters and approximately 50 emails. (28)

From concerned citizens, submitting opposition to proposed ordinance to expand smoking prohibition in the City. File No. 080438, Copies: Each Supervisor. Received 2 Letters. (29)

From Christian Holmer, regarding Immediate Disclosure Request. (30)

From M & R Recker, expressing concerns regarding the City's plans for any 9-11 remembrances. Copies: Each Supervisor. (31)

From Francisco Da Costa, submitting comment regarding the 1989 earthquake in the City and expressing concerns for future earthquakes. (32)

From Maung Tin-Wa, expressing concerns regarding the current school assignment system at the SFUSD. (33)

From Andrea & Rick O'Leary, expressing concerns regarding the lack of street cleaning in the City. (34)

From Kimo Crossman, expressing concerns regarding the Sequoia Voting System. (35)

From Sue Cauthen, regarding SF Flier: North Beach Library FYI RE Underground Tanks. (36)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 7, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 081084 [Authorizing the Department of Public Health to perform and award contracts for public work under a specified procedure]
Supervisor Elsbernd
Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.69, to authorize the Department of Public Health to perform and award contracts for health facilities public work through competition among a pre-qualified pool of contractors.

9/23/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

2. 081101 [Accept-Expend two related HIV research grants - \$105,248]

Supervisors Duffy, Ammiano

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend two related grants in the total amount of \$105,248 from the Public Health Foundation Enterprises (PHFE) to support the "HIV Vaccine Trials Network Study – Parts A and B"; for the periods of January 1, 2008 through June 30, 2008 (Part A) and July 1, 2008 through December 31, 2008 (Part B).

Question: Shall this Resolution be ADOPTED?

3. 081111 [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application - \$36,118,233]

Supervisor Duffy

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application for the San Francisco Eligible Metropolitan Area (EMA) by the deadline of September 29, 2008, requesting a total amount of \$36,118,233, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2009 through February 28, 2010.

(Public Health Department)

Question: Shall this Resolution be ADOPTED?

4. 081187 [Accept-Expend Federal grant for emergency planning - \$175,783]

Supervisor Alioto-Pier

Resolution authorizing the Department of Emergency Management (DEM) to accept and expend retroactively a grant in the amount of \$175,783 from the Federal Emergency Management Agency (FEMA), through the California Governor's Office of Emergency Services (State OES), for emergency planning for at-risk and vulnerable populations, for the period of July 1, 2008 through June 30, 2009.

Question: Shall this Resolution be ADOPTED?

5. 081189 [Accept and Expend grant - to support the STD Surveillance Network - \$225,000]

Supervisor Duffy

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend funds from the Centers for Disease Control and Prevention (CDCP), in the amount of \$225,000, to support the STD Surveillance Network; for the period of September 30, 2008 through September 29, 2009.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present. Supervisors Peskin, Ammiano, Maxwell

6. 080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]
Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program; authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco Hospital Rebuild Program; adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53.
(Public Works Department)
(Fiscal Impact.)
- 9/23/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
7. 081102 [MOU, Amendment No. 2 - Municipal Attorneys' Association]
Mayor
Ordinance adopting and implementing Amendment #2 to the 2006-2010 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association.
- 9/23/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
8. 081103 [MOU - Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics]
Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, to be effective July 1, 2007 through June 30, 2011.
(Fiscal Impact.)
- 9/23/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

9. 081074 [Changing the official sidewalk width - Harrison Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1581 to change the official sidewalk width on the north side of Harrison Street east of Fourth Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

9/23/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

10. 081062 [Appointment, Sunshine Ordinance Task Force, Doyle Johnson]
Motion appointing Doyle Johnson, term ending April 27, 2010, to the Sunshine Ordinance Task Force.
Doyle Johnson, new designation, seat 7, must be member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government, for a two-year term ending April 27, 2010.

Question: Shall this Motion be APPROVED?

11. 081143 [Appointment, Western SOMA Citizens Planning Task Force, John Rosenbaum]
Motion appointing John Rosenbaum, term ending June 30, 2010, to the Western SOMA Citizens Task Force, residency requirement waived.
John Rosenbaum, succeeding Catherine Ann Swineford, seat 23, term expired, must be a person representing the interests of homeless individuals, for term ending June 30, 2010 (residency requirement waived).

Question: Shall this Motion be APPROVED?

12. 081144 [Appointments, SOMA Community Stabilization Fund Community Advisory Committee, Judith Barker and Steven Sarver]
Motion appointing Judith Baker and Steven Sarver, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.
Judith Baker, succeeding Kelly Wilkinson, seat 6, term expired, must provide direct services to SOMA families, for a two-year term ending April 27, 2010.
Steven Sarver, succeeding himself, seat 7, term expired, must have small business expertise and a familiarity with the SOMA neighborhood, for a two-year term ending April 27, 2010 (residency requirement waived).

Question: Shall this Motion be APPROVED?

13. 080848 [Appointment, Community Oversight Committee Regarding Enforcement of Marijuana Offenses, Mesha Monge-Irizarry]

Motion appointing Mesha Monge-Irizarry, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Mesha Monge-Irizarry, succeeding Camilla Field, seat 6, resigned, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Maxwell

14. 081107 [MOU - SF Police Officers' Association (SFPOA), P-2B]

Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), P-2B, to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

9/23/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

15. 080521 [Citywide Affordable Housing Preference for Certificate of Preference Holders]

Supervisors Mirkarimi, Dufty, Maxwell

Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

9/9/2008, CONTINUED. Continued to September 23, 2008

9/23/2008, CONTINUED. Continued to October 7, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 081087 [Condominium conversion lottery based on seniority of participation]**Supervisor McGoldrick**

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

9/23/2008, PASSED ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Elsbernd, Mirkarimi

17. 081200 [Appropriating \$51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09]
Mayor
Ordinance appropriating \$25,611,567 of Tobacco Settlement Revenues and \$25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-2009.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 081203 [Appropriating \$13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009]
Supervisor Elsbernd
Ordinance appropriating \$11,756,665 of FY 2008-09 Proposition 42 State Funds and \$1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 081027 [Clean Renewable Energy Bonds - \$6,325,000]
Resolution approving the issuance of not to exceed \$6,325,000 aggregate principal amount of clean renewable energy bonds to be issued by the Public Utilities Commission of the City and County of San Francisco (the "Commission"); approving the execution and delivery by the Commission of a Master Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, and a Bond Purchase Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

20. 081109 [Emergency contract to design, furnish, and install microwave system communication equipment along Hetch Hetchy]
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to design, furnish, and install a new microwave radio system for Hetch Hetchy.
(Public Utilities Commission)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
21. 081141 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]
Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.
- Question: Shall this Resolution be ADOPTED?
22. 081142 [Contract between the Department of Public Health and Triage Consulting Group to provide retroactive claiming of aged accounts services]
Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to execute a contract between the City and County of San Francisco and Triage Consulting Group to provide retroactive claiming of aged accounts services for the period of July 1, 2008 through June 30, 2012.
- Question: Shall this Resolution be ADOPTED?
23. 081164 [Amending the agreement between the CCSF and Office Depot for office supplies to \$17,540,000]
Resolution approving the Fifth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$17,540,000, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

24. 080621 [Amending Health Code Article 8 - Food Preparation and Service Establishment] Mayor
Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 081121 [Accept-Expend state grant and amend Annual Salary Ordinance, FY 2008-09 - \$400,000] Supervisors Elsbernd, Dufty
Ordinance authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$400,000 from the California Governor's Office of Emergency Services (OES) for gang violence reduction activities, and amending the Annual Salary Ordinance (ASO) to provide for the creation of certain grant funded positions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, Elsbernd

26. 080853 [Liquor license - 251 Rhode Island Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Joseph Latimore for Gallery Sensei, located at 251 Rhode Island Street (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

27. 081076 [Liquor license transfer - 1926 Lombard Street]
Resolution determining that the transfer of a Type 21 off-sale general license from 1600 Lombard Street to 1926 Lombard Street (District 2), to Luigi and Brixhilda Daberdaku and Cezar and Georgeta Popovici for Luigi's Delicatessen, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present Supervisors Peskin, Elsbernd, Maxwell

28. 081091 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations"]
Supervisor Peskin
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Fits and Starts: The Response of San Francisco Government to Past Civil Grand Jury Recommendations".
- Question: Shall this Resolution be ADOPTED?
29. 081092 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government"]
Supervisor Peskin
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "Accountability in San Francisco Government".
- Question: Shall this Resolution be ADOPTED?
30. 081094 [Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco"]
Supervisor Peskin
Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "A Year of Five Elections for the City and County of San Francisco".
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

31. 081117 [Zoning - Interim Moratorium on Conversion of Residential Rental Units to Student Housing]
Supervisors Daly, Peskin, Maxwell
Urgency Ordinance imposing an interim zoning moratorium on the conversion of residential rental units to student housing for 45 days and making required findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be FINALLY PASSED?

32. 071431 [Planning Code - Restoration of Movie Theater Projecting Signs and Marquees]
Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 080845 [Changing the official sidewalk width - Golden Gate Avenue]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 080873 [Naming the alleys behind the 2200 block of Fillmore Street Goldberg Lane]
Supervisor Alioto-Pier
Resolution bestowing the new name of Goldberg Lane on the alleys behind the 2200 block of Fillmore Street, currently known as Unnamed Streets 110 and 111, in honor of the late Faye Goldberg.

Question: Shall this Resolution be ADOPTED?

35. 080778 [Initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District]
Supervisor Mirkarimi
Resolution initiating amendments to Appendix K of Article 10 of the Planning Code regarding the Bush Street-Cottage Row Historic District.

Question: Shall this Resolution be ADOPTED?

36. 081192 [Accept-Expend Federal Grant - \$2,280,000]**Supervisor Maxwell**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$2,280,000 from the United States Department of Commerce, Economic Development Administration, for environmental investigation and hazardous materials abatement at the Port of San Francisco, Pier 70.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Sandoval, Peskin

37. 080696 [Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to create the North Beach Special Use District; amending Section 781.6, to include Limited Financial Services and Business or Professional Services in the North Beach Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section 722 to reflect the new controls for the North Beach Neighborhood Commercial District, including limiting the establishment of new bars and restaurants in the North Beach Neighborhood Commercial District in locations occupied by basic neighborhood sales or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide eating places, and prohibiting the establishment of new automated bank teller machines; adding new Section 790.93, to create the new zoning category of Specialty Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide Eating Place; amending Section 790.102 to allow general grocery stores to occupy less than 5,000 gross square feet, to modify the definition of specialty grocery stores, and to clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in general and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91, 780.1, 312, 303, 218.2, 703.2, 803.2, 803.3, 121.2, and 186.1, to reflect the changes created by the new Sections 790.93, 790.102, and 790.142, and to make conforming amendments; amending Sections 703.3, 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new North Beach Special Use District and to reflect the amendments and new boundaries of the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

6/17/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

8/12/2008, SUBSTITUTED. Supervisor Peskin submitted substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 080567 [Zoning - Ordinance creating a Conditional Use requirement for establishments that sell Tobacco Paraphernalia]
Supervisor Sandoval

Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a Conditional Use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and Conditional Use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 080720 [Landmark Designation of 1969 California Street (Tobin House)]
Supervisors Peskin, Sandoval

Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 081122 [Vacation of the Ingleside Path]
Supervisor Elsbernd

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

41. 081120 [Ordering vacation of the Ingleside Path]
Supervisor Elsbernd

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 080652 [Rental Subsidy Program for Low-Income Families]
Supervisors Daly, Ammiano, Sandoval

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

7/29/2008, AMENDED.

7/29/2008, PASSED ON FIRST READING AS AMENDED.

7/29/2008, AMENDED.

7/29/2008, PASSED ON FIRST READING AS AMENDED.

7/29/2008, RE-REFERRED to Land Use and Economic Development Committee. Referred to Committee as amended.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

43. 080616 [Appointment of Independent Hearing Officer for Local Enforcement Agency]
Supervisor Duffy
Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

44. 081162 [Appointment, Veterans Affairs Commission, Wallace Levin]
Motion appointing Wallace Levin, term ending January 31, 2012, to the Veterans Affairs Commission. Wallace Levin, succeeding himself, term expired, Seat 3, must be an at-large appointment, for four-year term ending January 31, 2012.

Question: Shall this Motion be APPROVED?

45. 081243 [Appointment, Veterans Affairs Commission, Stephen Noetzel]
Motion appointing Stephen Noetzel, term ending January 31, 2012, to the Veterans Affairs Commission.
Stephen Noetzel, succeeding Wallace Levin, term expired, Seat 3, must be an at-large appointment, for four-year term ending January 31, 2012.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

46. 081171 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 800-808 Lyon Street/1980-1998 Golden Gate Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 2, 2008, (Case No. 2008.1009E) (Building Permit Application No. 2008/01/28/3333) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The project involves the removal of a rear deck and stairs from the property at 1980-1998 Golden Gate Avenue that currently encroaches on the side yard of the property at 800-808 Lyon Street and includes the installation of a new fire escape at the front facade of 1980-1998 Golden Gate Avenue. (Appellants: Raquel Fox of the Tenderloin Housing Clinic, Inc. on behalf of the tenants at 800-808 Lyon Street, 1998 Golden Gate Avenue and 1960 Golden Gate Avenue.)
(Filed September 3, 2008; Companion to Files 081172, 081173, 081174; District 5.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

47. 081172 [Affirming the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]
Motion affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

48. 081173 [Disapproving the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]
Motion disapproving the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

49. 081174 [Preparation of findings related to the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 800-808 Lyon Street/1980-1988 Golden Gate Avenue is exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, October 2, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 7, 2008.

50. 080162 [Disclosure of lobbying by campaign consultants]
Supervisors Peskin, Daly
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.

7/29/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 081008 [Residential mental health treatment for youth in foster care]
Supervisors Maxwell, Duffy
Ordinance amending the San Francisco Administrative Code by adding sections 5.400 and 5.405 creating the San Francisco Task Force on Residential Treatment for Youth in Foster Care and providing for its expiration absent reauthorization by the Board of Supervisors.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
52. 081061 [Amending individual expenditure ceilings for partial public financing program]
Supervisor Daly
Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.134.5 to modify the calculation governing when a publicly financed candidate may access additional public funds.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
53. 081237 [Appointments, Treasury Oversight Committee, Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom]
Supervisor Peskin
Resolution appointing Dr. Don Griffin, Ben Rosenfield, Todd Rydstrom, terms ending June 5, 2009, to the Treasury Oversight Committee.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Thursday, October 2, 2008 at 4:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 7, 2008.

54. 081196 [Appropriating \$40,520,000 2008 of Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year 2008-2009]
Supervisors Peskin, Elsbernd
Ordinance appropriating \$40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including \$36,875,562 in the Recreation and Park Department and \$3,644,438 in the Port Commission for Fiscal year 2008-2009. (Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
55. 081236 [Appropriating \$130,462.77 of unappropriated fund balance for the Pier 43 Bay Trail Link in the Port of San Francisco for Fiscal Year 2008-2009]
Supervisors Peskin, Elsbernd
Ordinance appropriating \$130,462.77 of unappropriated fund balance for the construction of the Pier 43 Bay Trail Link public promenade from Powell to Taylor streets in the Port of San Francisco for Fiscal Year 2008-2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 081127 [PG&E rate increases]
Supervisors Peskin, Duffy
Resolution establishing the City's support for affordable rates for PG&E customers and directing the City Attorney and the Public Utilities Commission to participate in PG&E rate proceedings to advocate for reasonable rates.

Question: Shall this Resolution be ADOPTED?

57. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

58. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 59-60

59. 081255 [Conflict Resolution Day - October 16, 2008]
Supervisor Daly
Resolution declaring October 16th "Conflict Resolution Day", to be recognized in San Francisco for the purpose of fostering awareness and use of conflict resolution tools within our schools and communities.

9/23/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 080781 [Final Map - 580 Washington Street]

Motion approving Final Map 5025, a 9 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 580 Washington Street being a subdivision of Lot 029 in Assessors Block No. 0196 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,782; District 3.)

9/19/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

61. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 16, 2008 to September 29, 2008, for reference by President to appropriate committee on October 7, 2008.

080941 [Settlement of Lawsuit - City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al. - \$2,750,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier Transportation, Inc. for \$2,750,000 AND OTHER CONSIDERATION; the lawsuit was filed on DECEMBER 15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al.
(Airport Commission)

9/22/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080942 [Approval of contract pursuant to settlement; Waiver of competitive bidding - \$56,500,000]

Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of \$56,500,000.
(Airport Commission)

9/22/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081068 [Settlement of City's Lawsuit Against Defendant EnCana Corp]

Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023), filed by the City and County of San Francisco on June 8, 2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$265,695.80 to the City from defendant EnCana Corp.
(City Attorney)

9/22/2008, RECEIVED AND ASSIGNED to Rules Committee.

081216 [Reward for Information about underpayment of property tax]

Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

9/22/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

081259 [Settlement of Lawsuit - Karen Douma - \$1,695,100.00]

Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg. Inc., Alem Belai, City And County Of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally for \$1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF American Taxicab, Inc., et al.

(City Attorney)

9/23/2008, RECEIVED AND ASSIGNED to Rules Committee.

081260 [Settlement of Lawsuit - James R. Figueroa - \$65,000]

Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for \$65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works.

(City Attorney)

9/23/2008, RECEIVED AND ASSIGNED to Rules Committee.

081261 [Settlement of Lawsuit - Husam Sajjan - \$100,000.00]

Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for \$100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al.

(City Attorney)

9/23/2008, RECEIVED AND ASSIGNED to Rules Committee.

081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - \$150,000.00]

Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for \$150,000.00; the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al.

(City Attorney)

9/29/2008, RECEIVED AND ASSIGNED to Rules Committee.

081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]

Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC.

(City Attorney)

9/29/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 16, 2008 to September 29, 2008, for reference by President to appropriate committee on October 7, 2008.

- 080840 [Amended Treasure Island/Yerba Buena Island Survey Area]**
Resolution designating and describing the Amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law.
(Treasure Island Development Authority)

9/19/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 080946 [Airport Concession Lease]**
Resolution approving the Lease Agreements for the Rental Car Center Operations between The Hertz Corporation; Avis Budget Car Rental, LLC; EAN, LLC; DTG Operations, Inc.; and Fox Rent a Car, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

9/23/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081264 [Agreement to Purchase Property in Tuolumne County - \$70,000]**
Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

9/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081265 [Approval of the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program Implementation Plan]**
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program for Fiscal Year 2008-2009.
(Public Health Department)

9/26/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 081266 [WSIP Agreement No. CS-914, Bay Division Regional Construction Management Services]**
Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-914, Bay Division Regional Construction Management Services.
(Public Utilities Commission)

9/26/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081278 [Petitions and Communications]

Petitions and Communications received from September 16, 2008 through September 22, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 7, 2008, Part 1 (Items 1 to 47).

From Office of the Controller, regarding FY 2009-10 Debt Service Requirements Inquiry. Copy: Supervisor Elsbernd. (1)

From Mayor's Office of Housing, regarding 2007-08 Civil Grand Jury Report "Homeless Have Homes, But They're Still On the Street". (2)

From Lloyd W. Schloegel, submitting suggestions regarding the Appeal of Final Supplemental Environmental Impact Report for proposed Central Subway System Project. File 081137. (3)

From Office of the Controller— City Services Auditor, submitting Airport Commission – Compliance Audit of AirTran Airways, Inc. (4)

From concerned citizens, submitting opposition to MUNI changing the M line route. 2 letters. (5)

From R. J. Thorsen, expressing concerns regarding the City's MUNI service, specifically N Judah and 19 Polk bus lines. (6)

From Office of the Clerk of the Board, submitting Memorandums to inform the Board members that the following individuals have submitted a Form 700 Statement: (7)

David Noyola, Legislative Assistant to Supervisor Peskin
David Owen, Legislative Assistant to Supervisor Peskin
Luke Klipp, Legislative Assistant to Supervisor Sandoval

From Office of the Clerk of the Board, submitting Memorandums to inform the Board members the following City departments have submitted their conflict-of-interest code notice: (8)

Citizen's Counsel Obligation Board Oversight Committee
Department of Children, Youth and Their Families
Department of Environment
Department of Public Works
Department of Technology
Fine Arts Museum
Fire Department
Health Service System
Landmark Preservation Advisory Board
Law Library
Office District Attorney
Office of Assessor-Recorder
Redevelopment Agency
Office of Economic and Workforce Development
Office of the City Administrator/General Services Agency
Police Department
Public Library
Public Utilities Commission
Taxi Commission

From concerned citizens, submitting support for Community Choice Energy Aggregation. 23 letters. (9)

From Judy West, submitting support for the Appeal of the Planning Commission Certification of the

- Final EIR for the Eastern Neighborhoods. File 081133, Copy: Each Supervisor. (10)
- From SFBG Online, submitting copy of editorial regarding The Eastern Neighborhoods Plan. (11)
- From concerned citizens, expressing concern about San Francisco Zoo. File 080818, 2 letters. (12)
- From Judith Droz Keyes, expressing support of the appointment of Stephen Noetzel to the Veterans Affairs Commission. (13)
- From Chief Medical Examiner, regarding Board of Supervisors inquiry, (Reference 20080909-067). (14)
- From Department of Human Resources, regarding Board of Supervisors inquiry, (Reference 20080909-030). (15)
- From Department of Public Works, regarding Board of Supervisors inquiry, (Reference 20080722-002). (16)
- From John Jenkel, submitting Abuse News #3822. (17)
- From Karl B. Pleskot of Broadway Corridor Group, submitting opposition to Broadway Entertainment Corridor Community Benefit District (CBD). File 080913, Copy: Each Supervisor. (18)
- From Kimo Crossman, regarding Immediate Disclosure Request written advice on complying with SO 67.14C-recording/posting digital audio. (19)
- From James Chaffee, regarding Sunshine Appointment. (20)
- From Department of the Environment regarding Board of Supervisors inquiry (Reference 20080909-046). (21)
- From Department of Public Works, regarding Board of Supervisors inquiry (Reference 20080805-002). (22)
- From Urban Counties Caucus, submitting various Legislative Updates. 2 letters. (23)
- From David G. Eselius, regarding "Behind Mexico's Wave of Beheadings" is Congressional "illegal drug" legislation and American consumption of "illegal drugs." (24)
- From The Peplies Family, regarding homicide investigation of Bert Peplies, August 31, 2007. (25)
- From Office of the Treasurer, submitting portfolios statistics of investment activity under the Treasurer's management from July 1, 2008 to August 31, 2008. (26)
- From City Administrator & Capital Planning Committee, submitting recommendations on (1) the Supplemental Appropriation for the First Issuance of 2008 Clean and Safe Neighborhood Parks and Bonds, and (2) the Supplemental Appropriation for the Port of San Francisco's Pier 43.5 Promenade Project. (27)
- From James Keys, urging improvements to the Gene Friend Recreational Center. (28)
- From Mayor Newsom, designating various Supervisors as Acting-Mayor from 8:05am on Monday, September 22, 2008 until 2:15pm on Friday, September 26, 2008. (29)
- From various City Departments, submitting list of sole source contracts entered into during the fiscal year 2007-2008: (30)

Department of Public Works

From Department of Building Inspection, submitting a Response to City Grand Jury Recommendations, File 080924. (31)

From James Chaffee, regarding Sunshine Complaint. (32)

From Department of Public Works, regarding Board of Supervisors inquiry (Reference 20080708-003). (33)

From Department of Public Works, regarding Board of Supervisors inquiry (Reference 20080805-003). (34)

From Department of Elections, regarding Board of Supervisors inquiry (Reference 20080909-062). (35)

From the San Francisco Public Utilities Commission, submitting a Declaration of Emergency- Replacement of Kirkwood Generator Stator Core. (36)

From Jonette Burton, opposing requirements for SF businesses to offer commuter benefits to their employees. (37)

From Francisco Da Costa, submitting an article on twenty thousand units down the pipeline. (40)

From Tortuga Bi Liberty, submitting a testimony about Nude political demonstration. (41)

From Ahimsa Porter Sumchai, commenting on America's shortage of primary care doctors. 2 letters. (42)

From Paul Nisbett, commenting on local grocery stores closing in San Francisco. (43)

From concerned citizens, commenting on various ways to address disposition of garbage receptacles. 2 letters. (44)

From concerned citizens, commenting on various issues. 5 letters. (45)

From U.S. Fish and Wildlife Service, regarding Critical Habitat Proposed for California Red-Legged Frog, Comment Period Open through Nov. 17, 2008. (46)

From Alvin Johnson, commenting on employment abuse issues. (47)

081279 [Petitions and Communications]

Petitions and Communications received from September 23, 2008 through September 29, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 7, 2008, Part 2 (Items 48 to 82)

From Office of the Controller – City Services Auditor, submitting Department of Public Health – Compliance Audit Reports of agencies awarded Federal funds by DPH in fiscal year 2006-07. (48)

From Office of the Controller, submitting FY2007-08 Surplus Transfers Report. (49)

From Loren Hammer, regarding parking violation fees. (50)

From Kimo Crossman, submitting opposition to the redaction of scanned documents posted online. (51)

From Christian Holmer, submitting a Board candidate questionnaire. (52)

From PRO-SF, regarding a public records request. (53)

From San Francisco Public Utilities Commission, submitting a notice of a declaration of emergency for the replacement of the Kirkwood Generator Stator Core. (54)

From concerned citizens, submitting support for a refuge zoo at the San Francisco Zoo. 24 letters. (55)

From concerned citizens, submitting support for the restoration of Sharp Park. 1,003 letters. (56)

From Francisco Da Costa, regarding the clean up of Hunters Point Naval Shipyard. (57)

From Francisco Da Costa, regarding alternatives on Hunters Point Naval Shipyard. (58)

From Shirley Stucky, submitting opposition to the elimination of the 3 Jackson bus route. (59)

From Department of Public Works, regarding the removal of graffiti on several locations. (Reference 20080805-006) (60)

From Dan Gluesenkamp, submitting support for the restoration of Sharp Park. (61)

From Jeff Miller, submitting notice of possible lawsuit over endangered species at Sharp Park. (62)

From a concerned citizen, regarding the number of panhandlers. (63)

From Florrie Goldman regarding the status of the San Francisco Zoo, File 080818. (64)

From San Francisco Public Utilities Commission, submitting Human Rights Commission Waiver Request Forms. 2 forms. (65)

From Losenuti Sam, regarding implementing fines for dog feces. (66)

From Office of the Clerk of the Board, submitting notice that the War Memorial and Performing Arts Center has submitted its conflict of interest code notice. (67)

From Marilyn Amini, regarding the Eastern Neighborhoods Rezoning Plans, File 081133-081136, Copy: Each Supervisor. (68)

From Coalition for San Francisco Neighborhoods opposing the FEIR for the Eastern Neighborhoods

Rezoning and Area Plans, File 081152-081155, Copy: Each Supervisor (69)

From United States Department of the Interior, notifying the resignation of the Golden Gate National Recreation Area Representative from the San Francisco Urban Forestry Council. (70)

From concerned citizens, submitting support for Community Choice Energy Aggregation. 47 letters. (71)

From Department of Public Works, submitting notification of news rack inspections and citations. (Reference 20080805-009) (72)

From Department of Public Works, submitting notification of news rack inspections and citations. (Reference 20080722-006) (73)

From Department of Public Works, submitting notification of news rack inspections and citations. (Reference 20080812-005) (74)

From Department of Public Works, regarding the removal of graffiti on garbage cans in several locations. (Reference 20080916-003) (75)

From Department of Public Works, regarding the removal of graffiti on public properties in several locations. (Reference 20080916-002) (76)

From Department of Public Works, regarding the removal of graffiti on phone switch boxes in several locations. (Reference 20080812-003) (77)

From Department of Public Works, regarding the removal of graffiti on phone switch boxes in several locations. (Reference 20080909-001) (78)

From Department of Public Works, regarding status of sewer repairs at Waller and Fillmore Street. (Reference 20080909-002) (79)

From Ivan Pratt, regarding support for the YMCA. (80)

From California Fish and Game Commission, noticing changes to the California Code of Regulations. (81)

From Department of Public Works, submitting notification of news rack inspections and citations. (Reference 20080923-004) (82)

From Department of the Status of Women, submitting notification of violence prevention efforts in the Mission. (Reference 20080909-054) (83)

From Real Estate Division, submitting notification of violence prevention efforts in the Mission. (Reference 20080909-061) (84)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 21, 2008 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

OCT 16 2008

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BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía de el viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the September 9, 2008 and September 16, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note- Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the Budget and Finance Committee

Present: Supervisors Elsbernd, Mirkarimi

1. 081203 [Appropriating \$13,022,292 of State Proposition 42 and Proposition 1B revenue for road maintenance projects in the Department of Public Works for Fiscal Year 2008-2009]
Supervisors Elsbernd, Chu
Ordinance appropriating \$11,756,665 of FY 2008-09 Proposition 42 State Funds and \$1,265,627 of additional FY 2007-08 Proposition 1B State Funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the bond funds from the State to implement Bureau of Street and Sewer Repair road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)

10/7/2008, PASSED ON FIRST READING. Supervisor Chu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

2. 080621 [Amending Health Code Article 8 - Food Preparation and Service Establishment]
Mayor
Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

10/7/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 081121 [Accept-Expend state grant and amend Annual Salary Ordinance, FY 2008-09 - \$400,000]
Supervisors Elsbernd, Dufty, Chu
Ordinance authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$400,000 from the California Governor's Office of Emergency Services (OES) for gang violence reduction activities, and amending the Annual Salary Ordinance (ASO) to provide for the creation of certain grant funded positions.

10/7/2008, PASSED ON FIRST READING. Supervisor Chu requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Chu, Elsbernd

4. 081229 [Accept and Expend EPA West Coast Collaborative FOG to Biodiesel Grant funds - \$175,000]
Supervisor Chu
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend an EPA FOG to Biodiesel Grant in the amount of \$175,000 through the West Coast Collaborative.

Question: Shall this Resolution be ADOPTED?

5. 081254 [Accept-Expend San Francisco Giants Community Fund and the Good Tidings Foundation gift - \$100,000]
Mayor
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a gift in the estimated amount of \$100,000 from the San Francisco Giants Community Fund and the Good Tidings Foundation for Excelsior Playground baseball/softball field improvements.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

6. 081196 [Appropriating \$40,520,000 of 2008 Clean and Safe Park Bond proceeds for capital improvements for the Recreation and Park Department and Port Commission in Fiscal Year 2008-2009]
Supervisors Peskin, Elsbernd, Chu
Ordinance appropriating \$40,520,000 of 2008 Clean and Safe Park Bond sale proceeds fund the improvement and construction at various recreation and park facilities, including \$36,875,562 in the Recreation and Park Department and \$3,644,438 in the Port Commission for Fiscal Year 2008-2009. (Fiscal Impact.)

10/7/2008, PASSED ON FIRST READING. Supervisor Chu requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

7. 081236 [Appropriating \$130,462.77 of unappropriated fund balance for the Pier 43 Bay Trail Link in the Port of San Francisco for Fiscal Year 2008-2009]
Supervisors Peskin, Elsbernd
Ordinance appropriating \$130,462.77 of unappropriated fund balance for the construction of the Pier 43 Bay Trail Link public promenade from Powell to Taylor streets in the Port of San Francisco for Fiscal Year 2008-2009.

10/7/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

8. 071431 [Planning Code - Restoration of Movie Theater Projecting Signs and Marquees]
Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/7/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 080720 [Landmark Designation of 1969 California Street (Tobin House)]
Supervisors Peskin, Sandoval
Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)
- 10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 080845 [Changing the official sidewalk width - Golden Gate Avenue]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1580 to change the official sidewalk width on the southerly side of Golden Gate Avenue between Larkin and Hyde Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)
- 10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 080567 [Zoning - Ordinance creating a Conditional Use requirement for establishments that sell Tobacco Paraphernalia]
Supervisor Sandoval
Ordinance amending the Planning Code to add a new Section 227(v), to define Tobacco Paraphernalia Establishments, and to impose a conditional use requirement on the establishment of such new enterprises in all Commercial and Industrial districts; amending Section 303 of the Planning Code to refer to this requirement, and to require consideration of additional criteria when analyzing a Conditional Use application; adding a new Section 790.123, to define Tobacco Paraphernalia Establishments in the Neighborhood Commercial districts; amending sections 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, and 732.1, to refer to this definition and conditional use requirement; adding a new Section 890.89 to define Tobacco Paraphernalia Establishments in the Mixed Use districts; amending sections 803.1, 810.1, 811.1, 812.1, 814, 815, 816, 817, 818, and 827 to refer to this definition and Conditional Use requirement; and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.
- 10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

12. 080162 **[Disclosure of lobbying by campaign consultants]**
Supervisors Peskin, Daly
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending Section 2.117 to require campaign consultants to disclose lobbying contacts with any officer of the City and County.
- 7/29/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing the same title.
10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
13. 080616 **[Appointment of Independent Hearing Officer for Local Enforcement Agency]**
Supervisor Duffy
Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.
- 10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
14. 081008 **[Residential mental health treatment for youth in foster care]**
Supervisors Maxwell, Duffy
Ordinance amending the San Francisco Administrative Code by adding Sections 5.400 and 5.405 creating the San Francisco Task Force on Residential Treatment for Youth in Foster Care and providing for its expiration absent reauthorization by the Board of Supervisors.
- 10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
15. 081061 **[Amending individual expenditure ceilings for partial public financing program]**
Supervisor Daly
Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.134.5 to modify the calculation governing when a publicly financed candidate may access additional public funds.
- 10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**

16. 081149 [Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]
Motion appointing Catherine Rose Russo, term ending March 31, 2010, to the Commission on the Aging Advisory Council.
Catherine Rose Russo, succeeding herself, term expired, seat 6, must be nominee of District 7 Supervisor, for two-year term ending March 31, 2010.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

17. 081299 [Adopting findings related to affirming the categorical exemption issued for 800-808 Lyon Street/1980-1988 Golden Gate Avenue]
Motion adopting findings related to affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

10/9/2008, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Elsbernd, Mirkarimi

18. 081200 [Appropriating \$51,336,923 of revenue for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-09]
Mayor
Ordinance appropriating \$25,611,567 of Tobacco Settlement Revenues and \$25,725,356 of the 1999 Laguna Honda Hospital General Obligation Bond Proceeds Interest Earnings from the 2005A, 2005B, 2005C, 2005D, and 2005I Series for the Laguna Honda Hospital Replacement Project in the Department of Public Works for Fiscal Year 2008-2009.
(Fiscal Impact.)

10/7/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

19. 080521 [Citywide Affordable Housing Preference for Certificate of Preference Holders]
Supervisors Mirkarimi, Dufty, Maxwell
- Ordinance providing that all City affordable housing programs give preference in those programs to Certificate of Preference Holders under the San Francisco Redevelopment Agency's Property Owner and Occupant Preference Program by adding Administrative Code Section 24.8 to provide that all City affordable housing programs administered by the Mayor's Office of Housing or other City Department give preference in those programs to Certificate of Preference holders; and amending Administrative Code Sections 43.3.4 to provide for preference in the affordable housing and home ownership bond program; Section 10.100-110 to provide for preference in the expenditure of funds from the Mayor's Housing Affordability Fund; 10-100-370 to provide for preference in the use of HOPE SF funds; and amending Planning Code Sections 313.12, 315.4, 315.5, and 315.6 to provide for preference in the Citywide Affordable Housing funds generated by the Jobs-Housing Linkage Program and the Residential Inclusionary Affordable Housing program and in the allocation of all on- and off-site inclusionary housing units in those programs.

9/9/2008, CONTINUED. Continued to September 23, 2008

9/23/2008, CONTINUED. Continued to October 7, 2008

10/7/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/7/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

20. 080696 [Zoning - New Controls for the North Beach Neighborhood Commercial District, to Limit the Establishment of New Bars and Restaurants and Preserve Basic Neighborhood Services]
Supervisor Peskin
- Ordinance amending the San Francisco Planning Code by adding new Section 780.3, to create the North Beach Special Use District; amending Section 781.6, to include Limited Financial Services and Business or Professional Services in the North Beach Financial Subdistrict; amending Section 722.1 and the Zoning Control Table in Section 722 to reflect the new controls for the North Beach Neighborhood Commercial District, including limiting the establishment of new bars and restaurants in the North Beach Neighborhood Commercial District in locations occupied by basic neighborhood sales or services, allowing restaurants to obtain liquor licenses if they operate as bona-fide eating places, and prohibiting the establishment of new automated bank teller machines; adding new Section 790.93, to create the new zoning category of Specialty Food, Self-Service; adding new Section 790.142, to create a new definition of Bona Fide Eating Place; amending Section 790.102 to allow general grocery stores to occupy less than 5,000 gross square feet, to modify the definition of specialty grocery stores, and to clarify that off-sale beer, wine and liquor sales are allowed within accessory limits in general and specialty grocery stores; amending Sections 790.34, 790.55, 790.90, 790.91, 780.1, 312, 303, 218.2, 703.2, 803.2, 803.3, 121.2, and 186.1, to reflect the changes created by the new Sections 790.93, 790.102, and 790.142, and to make conforming amendments; amending Sections 703.3, 710.1, 711.1, 712.1, 713.1, 714.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 722.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, 733.1, to refer to new Section 790.93; amending the Special Use District Map SU1 of the Zoning Map of the City and County of San Francisco, to refer to the new North Beach Special Use District and to reflect the amendments and new boundaries of the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

6/17/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

8/12/2008, SUBSTITUTED. Supervisor Peskin submitted substitute ordinance bearing new title.

10/7/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/7/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 081087 [Condominium conversion lottery based on seniority of participation]
Supervisor McGoldrick
- Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery; amending Section 1396.3 to continue the prioritization of the condominium conversion lottery based on seniority of participation in prior lotteries; and making environmental findings.

9/23/2008, PASSED ON FIRST READING.

10/7/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisors Duffy and Mirkarimi were previously excused from voting on this matter.

10/7/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

22. 080652 **[Rental Subsidy Program for Low-Income Families]**
 Supervisors Daly, Ammiano, Sandoval
 Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

7/29/2008, RE-REFERRED to Land Use and Economic Development Committee. Referred to Committee as amended.

10/7/2008, CONTINUED. Continued to October 21, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

23. 081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]
Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Mayor)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 081226 [Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]
Supervisor Alioto-Pier
Ordinance authorizing the Department of the Environment to accept and expend a grant up to the amount of \$210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 081085 [Public Employment - Office of the Public Defender]
Supervisor McGoldrick
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).
(Supervisor Elsbernd dissented in committee.)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 081197 [Transfer of Real Property - 575 Polk Street]
Mayor
Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to \$323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 081198 [Transfer of Real Property - 400 McAllister Street]
Mayor
Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to \$955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 081110 [Authorizing the Sheriff's Department to amend its contract with ARAMARK Correctional Services, LLC, for Jail Food Services]
Resolution authorizing the Sheriff's Department to enter into a second amendment to the agreement between the City and County and ARAMARK Correctional Services, LLC, to increase the contract amount from \$15.2 million to an amount not to exceed \$24 million and to extend the contract term to June 30, 2010.
(Sheriff)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

29. 081151 [Easement Deed and findings related to the SFPUC's New Crystal Springs Bypass Tunnel water infrastructure project]
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Crystal Springs Bypass Tunnel Project; making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and authorizing and approving the execution, delivery and acceptance of an Easement Deed from the County of San Mateo granting to City certain easement rights in real property located beneath and adjacent to portions of Polhemus Road in San Mateo County.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

30. 081167 [Lease of Real Property at 1700-1740 17th Street and 1415 16th Street, San Francisco]
Resolution authorizing the lease of property, with a first right of refusal to purchase, comprising approximately 52,125 square feet of improvements upon a lot area of 62,373 square feet, located at 1700-1740 17th Street and 1415 16th Street (Assessor's Block 3955, Lot 002) in San Francisco for the San Francisco Police Department.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

31. 081168 [Agreement with PRWT Services, Inc. for Citation Processing Services]
Resolution authorizing a five year agreement, with option to renew for up to an additional five years, with PRWT Services, Inc. for an amount not to exceed \$53,475,441.
(Municipal Transportation Agency)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
32. 081186 [Accept-Expend Regional Grant, Airport Commission - \$1,399,709.57]
Supervisor Alioto-Pier
Resolution authorizing the Airport Commission to accept and expend three (3) grants totaling \$1,399,709.57 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles and emissions control equipment by Airport transportation operators.
- Question: Shall this Resolution be ADOPTED?
33. 081188 [Approval of Port Lease for Portco, Inc. at 360 Jefferson Street, Fisherman's Wharf]
Mayor
Resolution approving Port Commission Lease No. L-14564 with Portco, Inc. for a ten (10) year term and one five (5) year extension option for certain real property located at 360 Jefferson in the Fisherman's Wharf area of the City and County of San Francisco.
- Question: Shall this Resolution be ADOPTED?
34. 081194 [Supporting Goals for Federal Funding-Community Development Block Grant]
Supervisor McGoldrick
Resolution supporting Fiscal Year 2009-2010 Community Development Block Grant (CDBG) Action Plan Goals.
- Question: Shall this Resolution be ADOPTED?
35. 081201 [Contract between the Department of Public Health and SF Community Health Authority to provide universal health insurance services for SF children and young adults - \$19,486,273]
Mayor
Resolution retroactively authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to enter into a contract amendment between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 18 and young parents aged 19 through 24 for the new period of July 1, 2007 through June 30, 2009 in the amount of \$19,486,273.
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?

36. 081253 [Single Family Housing Bond REO and Refinance program]
Mayor, Supervisor Maxwell
Resolution authorizing an application by the Mayor's Office of Housing to the California Debt Limit Allocation Committee to permit the issuance of Single Family Housing Bonds in an aggregate amount not to exceed \$10,115,243 to enable the purchase of Real Estate Owned (REO) single family units by low and moderate income households and the refinance of subprime and adjustable rate mortgages (ARM) to 30 and 40 year amortized fixed mortgages for low and moderate income households in single family homes.

Question: Shall this Resolution be ADOPTED?

37. 081256 [Accept and Expend Grant - Office of Language Services - \$40,000]
Supervisor McGoldrick
Resolution retroactively authorizing the Office of Language Services to accept and expend grant funds in the amount of \$40,000 from the Zellerbach Family Foundation to create a pilot program to expand the organizational capacity of the City's law enforcement, criminal justice, and emergency management agencies to meet the cultural and linguistic needs of limited English proficient victims of domestic violence.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

38. 081086 [Public Works Code - annual right-of-way occupancy assessment fee for driveways]
Supervisor McGoldrick
Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires modification to the public right-of-way; and making environmental findings.

8/12/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

39. 080954 [Planning Code-Amending Article 11 Designation of 690 Market Street]
Supervisor Peskin
Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/22/2008, RE-REFERRED to Government Audit and Oversight Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 081216 [Reward for Information about underpayment of property tax]
Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present. Supervisors Peskin, Ammiano, Maxwell

41. 081228 [Appropriating \$498,304 General Fund Reserve for Mission District violence prevention and reduction grants in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009]
Supervisor Ammiano
Ordinance appropriating \$498,304 from the General Fund Reserve for high risk youth violence prevention and reduction grants focusing on intensive case management, outreach and programming in the Mission District in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

42. 080883 [Zoning Map - Creating the New Mission-Harrington Special Use District]
Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Peskin

43. 081161 [Mission Bay North-Acceptance of Land and Improvements for Block N2]

Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval

44. 081052 [Street Encroachment, Various Locations]
Supervisor Peskin

Resolution granting revocable permission to Fisherman's Wharf Community Benefit District to occupy a portion of the public right-of-way to install and maintain a way-finding sign (a total of 10 signs) at the following locations: a) on the north side of Beach Street between Powell and Mason Streets, b) on the north side of Beach Street between Mason and Taylor Streets, c) on the north side of Beach Street between Jones and Leavenworth Streets, d) on the north side of Beach Street between Leavenworth and Hyde Streets, e) on the north side of Beach Street at Larkin Street, f) on the west side of Taylor Street between Jefferson and Beach Streets, g) on the west side of Taylor Street between Beach and North Point Streets, h) on the west side of Taylor Street between North Point and Bay Streets, i) on the east side of Leavenworth Street between Jefferson and Beach Streets, and j) on the east side of Hyde Street between Beach and North Point Streets conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

45. 080436 [Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]

Supervisors Alioto-Pier, Chu, Elsbernd

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy

46. 080884 [Appointment, San Francisco Children and Families First Commission - Supervisor Carmen Chu]

Supervisor Peskin

Resolution appointing Supervisor Carmen Chu, term indefinite, to the San Francisco Children and Families First Commission.

Question: Shall this Resolution be ADOPTED?

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 080941)

47. 081301 [Committee of the Whole - Hearing on the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]
Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano
Hearing to consider the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

Action: _____

SPECIAL ORDER 3:00 P.M.

48. 081291 [Hearing - Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]
Supervisor Daly
Hearing of persons interested in or objecting to proposed resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

Action: _____

49. 081292 [Ground Lease of Redevelopment Agency Land to Mercy Housing California, XLI - 227-255 Seventh Street]
Supervisor Daly
Resolution authorizing a ground lease with the Redevelopment Agency of the City and County of San to lease a portion of the Site located at 227-255 Seventh Street for the development commonly known as Westbrook Plaza Housing (the "Project"), with Mercy Housing California XLI, a California Limited Partnership, for 60 years for the purpose of developing and operation of housing for low income families, South of Market Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

50. 081293 [Hearing - Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]
Supervisor Daly
Hearing of persons interested in or objecting to proposed resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

Action: _____

51. 081294 [Ground Lease of Redevelopment Agency Land to San Francisco Medical Center Outpatient Improvement Programs, Inc. - 227-255 Seventh Street]
Supervisor Daly
Resolution authorizing a Ground Lease with the San Francisco Redevelopment Agency of the City and County of San Francisco to lease a portion of the site located at 227-255 Seventh Street, Assessor's Block 3731, Lots 126 and 154 for the development and operation of a health clinic, with San Francisco Medical Center Outpatient Improvement Programs, Inc., a California nonprofit public benefit corporation, d/b/a South of Market Health Center; South of Market Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

52. 081295 [Hearing - Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]
Supervisor Maxwell

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose developing housing for very low income senior households.

Action: _____

53. 081296 [Ground Lease of Redevelopment Agency Land for Armstrong Place Senior Housing]
Supervisor Maxwell

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 5421, Lot 13 commonly known as Armstrong Place Senior Housing (the "Project"), to Armstrong Place Associates, a California Limited Partnership, for 75 years for the purpose developing housing for very low income senior households.

Question: Shall this Resolution be ADOPTED?

54. 081297 [Hearing - Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]
Supervisor Mirkarimi

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

Action: _____

55. 081298 [Ground Lease of Redevelopment Agency Land for Octavia Court Rental Housing - 301 Oak Street/261 Octavia Boulevard]
Supervisor Mirkarimi

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 839, Lot 29, commonly known as 301 Oak Street/261 Octavia Boulevard, southwest corner of Oak Street and Octavia Boulevard, San Francisco, California (the "Site") in San Francisco's Central Freeway corridor, to OCTAVIA COURT, INC., a California nonprofit public benefit corporation, for 75 years for the purpose of developing housing for very low-income developmentally disabled adult households.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, October 20, 2008 at 4:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 21, 2008.

56. 080281 [Building Code - Slope Protection Act]
Supervisor Peskin

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures that require the Structural Advisory Committee to review and make recommendations on specified permit applications for all property within the City that exceeds an average slope of 25% grade, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications subject to the Slope Protection Act; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

58. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 59 through 64

59. 081300 [Committee of the Whole - October 21, 2008 regarding the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery]
Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Duffy, Sandoval, Alioto-Pier, Ammiano
Motion scheduling the Board to sit as a Committee of the Whole to review the City's resources and plan to address the economic crisis, to be held on October 21, 2008.
- 10/7/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
60. 081302 [International Credit Union Day - October 16, 2008]
Supervisor Peskin
Resolution declaring October 16, 2008 International Credit Union Day in San Francisco.
- 10/7/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
61. 081303 [Grant funds to support worker health and safety - \$32,249]
Supervisor Chu
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$32,249 from the Chinese Progressive Association for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of August 1, 2008 through July 31, 2010.
- 10/7/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
62. 081304 [State grant to support the High Risk (Pest Exclusion) program - \$44,195]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of \$44,195 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2008 through June 30, 2009.
- 10/7/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

63. 081305 [Landmark designation nomination for the California Buckeye tree located behind 757 Pennsylvania Street]
Supervisor Maxwell
Resolution of intent initiating the nomination of the California Buckeye tree (*Aesculus Californica*) located behind 757 Pennsylvania Street, (Assessor's Block 416B, Lot 11) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

10/7/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 081306 [Commending Jazzie Collins]
Supervisor Daly
Resolution recognizing Jazzie Collins for her dedication and leadership in improving conditions for SoMa residents and those of San Francisco's diverse communities.

10/7/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

65. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from September 30, 2008 to October 10, 2008, for reference by President to appropriate committee on October 21, 2008.

- 081317 [Authorizing Settlement of Attorney's Fees and Costs Claim Following Lawsuit - \$380,000]
Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by Paula Fiscal, Larry Barsetti, Rebecca Kidder, Dana Drenkoski, John Candido, Alan Byard, Andrew Sirkis, National Rifle Association, Second Amendment Foundation, California Association of Firearm Retailers, Law Enforcement Alliance of America, and San Francisco Veteran Police Officers Association in litigation against the City and County of San Francisco, for \$380,000.00; the lawsuit was filed on December 29, 2005 in San Francisco Superior Court, Case No. CPF-050505960; entitled Fiscal, et al., v. City and County of San Francisco, et al.
(City Attorney)

10/10/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 30, 2008 to October 10, 2008, for reference by President to appropriate committee on October 21, 2008.
None.

081315 [Petitions and Communications]

Petitions and Communications received from September 30, 2008 through October 6, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 21, 2008, Part 1 (Items 1 to 26).

From Office of the Clerk of the Board, submitting Memorandums to inform the Board members the following City departments have submitted their conflict-of-interest code notice: (1)

Department of Building Inspection
Department of Human Services

From Department of the Environment, submitting notice of confirmation of the adequacy of the FY 2008/2009 adopted budget. (2)

From Department of Public Works, regarding the removal of graffiti on utility poles in several locations. (Reference 20080812-004) (3)

From Department of Public Works, regarding the removal of graffiti on utility poles in several locations. (Reference 20080923-001) (4)

From Department of Public Works, regarding the removal of graffiti in several locations. (Reference 20080923-003) (5)

From the Department of Child Support Services, regarding the public protection measures within the Mission District. (Reference 20080909-26) (6)

From Kathryn Whittenberge, regarding Naval Special Warfare Operators in San Francisco. (7)

From Sunshine Ordinance Task Force, submitting response to SOTF Complain #08031. Copy: Each Supervisor. (8)

From Claire Chalmers, supporting the ban of drugstore tobacco sales. (9)

From Felix Gonzalez, opposing the ban of drugstore tobacco sales. (10)

From California Department of Toxic Substance Control, submitting a Golden Gate Bridge lead Cleanup Site project update. (11)

From Non-Smokers' Rights Association, supporting the ban of drugstore tobacco sales. (12)

From Rana Creek Environmental Planning, offering services regarding the Sharp Park Golf Course. (13)

From Department of Public Works, regarding the street repairs in several locations. (Reference 20080909-002) (14)

From Planning Department, submitting the Final Environmental Document for the Central Subway Project. (15)

From a concerned citizen, regarding policies within San Francisco. (16)

From Thomas Lutge, regarding the use of City taxes. (17)

From concerned citizens, regarding Supervisor Alioto-Pier comments about Tommy Lasorda. 2 letters. (18)

From concerned citizens, regarding the San Francisco Zoo. 4 letters. (19)

From Kathleen Wong, supporting the restoration of Sharp Park. (20)

From Budget Analyst, submitting the Budget Analyst Status Report for the Quarter Ending September 30, 2008. (21)

From Coalition for San Francisco Neighborhoods, regarding 2009 San Francisco Housing Elements. Copy: Supervisor Peskin. (22)

From Office of the Sheriff, submitting the FY2008 Inmate Welfare Fund Annual Report. (23)

From Office of the Sheriff, submitting Human Rights Commission Waiver Request Forms. (24)

From Darren Murtha, regarding Speedway Meadows. (25)

From Department of Public Health, submitting the report on the conduct of the Deemed Approved Uses Ordinance. (26)

081316 [Petitions and Communications]

Petitions and Communications received from October 6, 2008 through October 10, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 21, 2008, Part 2 (Items 27 to 49).

From Department of Public Works, regarding the removal of graffiti from private property in several locations. (Reference 20080812-002) Copy: Supervisor Mirkarimi. (27)

From Department of Public Works, regarding the removal of graffiti from public property in several locations. (Reference 20080909-006) Copy: Supervisor Mirkarimi. (28)

From Department of Public Works, regarding the removal of graffiti from utility poles in several locations. (Reference 20080909-004) Copy: Supervisor Mirkarimi. (29)

From Department of Public Works, regarding the removal of graffiti from utility poles in several locations. (Reference 20080916-001) Copy: Supervisor Mirkarimi. (30)

From Employees' Retirement System, submitting Deferred Retirement Option Program Quarterly Activity Report for the quarter ending September 30, 2008. Copy: Each Supervisor. (31)

From Alberto Castillo Abello, regarding the El Bethel Arms food bank deliveries. (32)

From Department of Elections, regarding Ranked Choice Voting Update No. 3, November 4, 2008 Consolidated General Election. Copy: Each Supervisor. (33)

From Department of Child Support Services, submitting a response to Supervisor Ammiano's inquiry. (Reference 20080909-26) Copy: Supervisor Ammiano. (34)

From Denise D'Anne, regarding waste in City government. (35)

From Ethics Commission, submitting the FY 2008 annual report. (36)

From Office of the Clerk of the Board, submitting Memorandum to inform the Board members that the following individuals have submitted a Form 700 Statement: (37)

Colleen Crowley, Legislative Assistant to Supervisor Chu
Rachel Force, Legislative Analyst

From Richard Freeman, supporting the tobacco sales ban for drugstores. (38)

From Stacey Geis, supporting the appearance of the Blue Angels. (39)

From Planning Department, submitting a Notice of Preparation regarding Case # 2007.1275E: San Francisco 2004 Housing Element. (40)

From Verizon Wireless, submitting notification of the installation of one Omni directional antenna on Yukon Street. (41)

From Parkmerced Residents Organization, regarding the zoning interim moratorium on conversion of residential units to student housing. File 081117, Copy: Each Supervisor. (42)

From Sunshine Ordinance Task Force, submitting response to SOTF Complain #08032. Copy: Each Supervisor. (43)

From Department of the Controller, submitting the Economic Analysis Impact Report for Eastern

Neighborhoods Area Plans. File 081152, 081153 & 081154. (44)

From Office of the Treasurer, submitting the status report of the Pooled Investment Portfolio. (45)

From concerned citizens, supporting Community Choice Aggregation. 38 letters. (46)

From Heidi Hodgson, supporting the restoration of Sharp Park. (47)

From concerned citizens, regarding the North Beach Neighborhood Commercial District Planning Code Ordinances. File 080696, Copy: Each Supervisor, 2 letters. (48)

From Bernard Choden, regarding the Eastern Neighborhoods Area Plans. File 081155. (49)

APPOINTMENT BY THE MAYOR

Taxi Commission

Arthur Tom

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 28, 2008 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

OCT 23 2008

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BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7**Recommendations of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]
Supervisor McGoldrick
Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Mayor)
(Fiscal Impact.)

10/21/2008, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

2. 081226 [Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]
Supervisor Alioto-Pier
Ordinance authorizing the Department of the Environment to accept and expend a grant up to the amount of \$210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 081197 [Transfer of Real Property - 575 Polk Street]
Mayor
Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to \$323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 081198 [Transfer of Real Property - 400 McAllister Street]
Mayor
Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to \$955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

5. 081216 [Reward for Information about underpayment of property tax]
Supervisor McGoldrick
Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

10/21/2008, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

6. 080883 [Zoning Map - Creating the New Mission-Harrington Special Use District]
Supervisor Sandoval
Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Peskin

7. **081161** **[Mission Bay North-Acceptance of Land and Improvements for Block N2]**
Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance.
(Public Works Department)

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

8. 081085 [Public Employment - Office of the Public Defender]
Supervisor McGoldrick
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).
(Supervisor Elsbernd dissented in committee.)
(Fiscal Impact.)

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

9. 080954 [Planning Code-Amending Article 11 Designation of 690 Market Street]
Supervisor Peskin
Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/22/2008, RE-REFERRED to Government Audit and Oversight Committee.

10/21/2008, CONTINUED. Continued to October 28, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

10. 080436 [Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]

Supervisors Alioto-Pier, Chu, Elsbernd

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

10/21/2008, CONTINUED. Continued to October 28, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi

11. 081217 [Approval of three contracts for the Department of Public Health]
Resolution retroactively authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 through June 30, 2013.
(Public Health Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

12. 081264 [Agreement to Purchase Property in Tuolumne County - \$70,000]
Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Elsbernd

13. 081193 [Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]
Supervisor McGoldrick
Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 081184 [Urging the State of California to amend the Vehicle Code regarding disabled parking placards]
Supervisor Alioto-Pier
Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

15. 080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave]
Supervisor Sandoval
Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 080840 [Designating and describing amended Treasure Island/Yerba Buena Island Survey Area]
Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

17. 081004 [Interim Controls On Major Rights of Way along and near the Southern 19th Avenue Corridor]
Supervisor Elsbernd
Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/22/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

Question: Shall this Resolution be ADOPTED?

18. 081005 [19th Avenue Cumulative Impact Study]
Supervisors Elsbernd, Chu
Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.
- 9/9/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.
- Question: Shall this Resolution be ADOPTED?
19. 081281 [Application to Amend San Francisco's Priority Development Area Designation]
Supervisors Elsbernd, Chu
Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.
- Question: Shall this Resolution be ADOPTED?
20. 081118 [Administrative Code - Community Preservation and Blight Reduction Act]
Supervisor Sandoval
Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.
- 10/7/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute Ordinance bearing new title.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
- Present: Supervisors Maxwell, Peskin*
21. 081191 [Opposing renewal of wastewater discharge permit for Potrero Power Plant Unit 3]
Supervisors Maxwell, Dufty, Peskin, Daly
Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

22. 070967**[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 16, 2007

10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members.
Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to January 15, 2008

1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 28, 2008 at 4:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 070968 **[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]**
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. Continued to October 28, 2008 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

24. 070969 **[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]**
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. Continued to October 28, 2008 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, October 27, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 28, 2008.

25. 081338 [Declaration of Intention to form the Tourism Improvement District]
Supervisors Peskin, Maxwell

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Tourism Improvement District" and levy a multi-year assessment on identified hotel businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public meeting and a public hearing thereon, (4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 27, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 28, 2008.

26. 081010 [Building - Ban on Wooden Fixed Utility Ladder]
Supervisor McGoldrick

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 080281 [Building Code - Slope Protection Act]
Supervisor Peskin
Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

*The following items will be considered by the Rules Committee at a Special Meeting on Monday, October 27, 2008 at 12:00 Noon. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 28, 2008.
(Only one of the following three motions should be approved.)*

28. 081309 [Appointment, Taxi Commission - Arthur Tom]
Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

Question: Shall this Motion be APPROVED?

29. 081310 [Appointment, Taxi Commission - Arthur Tom]
Motion rejecting the Mayor's appointment of Arthur Tom to the Taxi Commission for the term ending June 28, 2012.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

Question: Shall this Motion be APPROVED?

30. 081311 [Appointment, Taxi Commission - Arthur Tom]

Motion taking no position concerning the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

Question: Shall this Motion be APPROVED?

The following item will be considered by the City Operations and Neighborhood Services Committee at a Special Meeting on Tuesday, October 28, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 28, 2008.

31. 080935 [Urging SFUSD to reconsider current school assignment system]

Supervisors Chu, Alioto-Pier

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.

(Supervisor McGoldrick dissenting in Committee.)

9/9/2008, REFERRED to City and School District Select Committee. Supervisor Alioto-Pier requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 34 through 39

34. 081347 [Commending Doctors Without Borders for "A Refugee Camp in the Heart of the City"]
Supervisor Mirkarimi
Resolution commending Doctors Without Borders/Médecins Sans Frontières for producing the interactive exhibit "A Refugee Camp in the Heart of the City."

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 081348 [Urging reducing exposure to Bisphenol A]
Supervisors Alioto-Pier, Dufty, Chu
Resolution calling upon San Francisco hospitals and retailers to help reduce infant exposure to Bisphenol A (BPA) by discontinuing the sale and distribution of baby bottles containing BPA.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 081349 [Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]
Supervisor Alioto-Pier
Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 081350 [Hostelling International Day - October 26, 2008]
Supervisor Peskin
Resolution declaring October 26, 2008 as Hostelling International Day in San Francisco.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 081351 [Small Business Fee Survey and Freeze - Feasibility Study]
Supervisors Peskin, Maxwell
Resolution urging the Controller's Office, Mayor's Office and relevant City agencies to conduct a survey of all fees paid by small business and investigating the feasibility of freezing or reducing these fees for a one-year period to assist small businesses in responding to the current economic crisis.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

39. 081352 [Waiver permitting City employees to assist the Department of Elections with the November 4, 2008 election]
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 14, 2008 to October 20, 2008, for reference by President to appropriate committee on October 28, 2008.

081275 [Summary Vacation of Stevenson Street between 8th and 9th Streets]

Ordinance ordering the summary vacation of Stevenson Street between 8th and 9th Streets; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1, and authorizing official acts in furtherance of this Ordinance.
(Real Estate Department)

10/20/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081346 [Approving Contract for Security Services - \$20,215,000]

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$20,215,000 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice.
(Human Services Department)

10/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081356 [Zoning Map Amendment - Assessor's Block 6753, Lot 063]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the zoning of the entire area of Assessor's Lot No. 063 in Block 6753 from P (Public) to RH-2 (Residential, House Districts, Two-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b).
(Planning Department)

9/30/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 14, 2008 to October 20, 2008, for reference by President to appropriate committee on October 28, 2008.

081219 [Gift - Private, Department of Public Health, Community Behavioral Health Services - \$800,000]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to \$800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco.
(Public Health Department)

10/17/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act.

(Real Estate Department)

10/20/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081355 [Petitions and Communications]

Petitions and Communications received from October 11, 2008 through October 20, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 28, 2008 (Items 1 to 32).

From Verizon Wireless submitting notification for SF Noe Valley DAS I3. (1)

From San Francisco Public Utilities Commission responding to Supervisor Ammiano's inquiry. (Reference 20080909-052) Copy: Supervisor Ammiano. (2)

From San Francisco Asthma Task Force supporting the improvement of air quality. File 080934 (3)

From Department of Elections submitting the preparations for the November 4, 2008 election. (4)

From Department of Elections submitting the Emergency Plan for the November 4, 2008 election. (5)

From San Francisco Health Commission submitting the findings of the St. Luke's Blue Ribbon Panel. (6)

From Civil Service Commission submitting the annual report for FY 2006-07. (7)

From Office of the Controller submitting the Monthly Economic Barometer for August 2008. (8)

From Carrie Beard supporting the approval of a type 21 off sale license. (9)

From Planning Department regarding the Market & Octavia Area Plan. Copy: Each Supervisor. (10)

From Planning Department regarding the department's Outreach Plan. (11)

From Kim Malcheski regarding the Eastern Neighborhood Plan. (12)

From Phoebe Williams regarding claim against San Francisco Housing Authority. (13)

From Verizon Wireless submitting notification for SF Noe Valley DAS 4-11 and 15-18. (14)

From San Francisco Public Utilities Commission submitting notification of procedure and timeline when water pipes break. (Reference 20080909-007) (15)

From San Francisco Public Utilities Commission submitting a response to the Mirant Potrero Power Plant inquiry. (Reference 20080909-018) (16)

From Department of Elections submitting the Ranked-Choice Voting Update #4. (17)

From Office of Citizen Complaints submitting the FY2008 Third Quarter Report. Copy: Each Supervisor. (18)

From concerned citizens regarding restoring Sharp Park. File 081279, Copy: Each Supervisor, 27 letters. (19)

From Department of Public Health submitting the FY2008-09 Mental Health Services Act Annual Plan Update. File 081077. (20)

From San Francisco Public Utilities Commission submitting a response to Supervisor Ammiano's inquiry. (Reference 20080909-25) Copy: Supervisor Ammiano. (21)

From Department of Public Works submitting a response to a constituent regarding the Sunset Scavenger. (22)

From Dick Millet regarding the Police facility at 17th Street and De Haro Street. (23)

From Albert Del Rio supporting the historic designation of the Tenderloin. (24)

From Recreation and Park Commission submitting the impacts of the Outside Lands Music Festival. (Reference 20080909-008) (25)

From concerned citizens regarding the renaming of the San Francisco sewage plant. 2 letters. (26)

From Office of the Controller submitting a summary of the City's exposure to the global downturn in Capital Markets. Copy: Each Supervisor. (27)

From Department of Aging and Adult Services submitting its Statement of Incompatible Activities. (28)

From Department of Public Works submitting notification on graffiti removal form various locations. (Reference 20080812-002) Copy: Supervisor Mirkarimi. (29)

From Ann Garrison regarding issues with the Department of Elections. (30)

From concerned citizens regarding the North Beach Commercial District. File 080696, Copy: Each Supervisor, 7 letters. (31)

From Maureen Edwards regarding the San Francisco Zoo. Copy: Each Supervisor. (32)

APPOINTMENT BY THE MAYOR

Treasure Island Development Authority
Douglas Shoemaker

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 28, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Elsbernd

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sof@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7**Recommendations of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 081160 [Appropriating \$86,367,000 of Bond revenue and adopting environmental findings for Crystal Springs Bypass Tunnel at the Public Utilities Commission for Fiscal Year 2008-2009]
Supervisor McGoldrick
Ordinance appropriating \$86,367,000 of Proceeds from Sale of Bonds for the Water System Improvement Program's (WSIP) construction of the Crystal Springs Bypass Tunnel Project at the San Francisco Public Utilities Commission for Fiscal Year 2008-2009, placing the entire appropriation on Controller's reserve pending the proceeds of indebtedness, and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Mayor)
(Fiscal Impact.)

10/21/2008, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
2. 081226 [Accept-Expend Metropolitan Transportation Commission Grant and Amendment to the Annual Salary Ordinance, FY 2008-2009]
Supervisor Alioto-Pier
Ordinance authorizing the Department of the Environment to accept and expend a grant up to the amount of \$210,000 over the next three fiscal years from the Metropolitan Transportation Commission to provide Transportation Demand Management services to employers on behalf of the 511 Regional Rideshare Program, with the City providing 11.47% of the project costs, and amending Annual Salary Ordinance Number 141-08 to reflect the addition of one (1) grant funded position at the Department of the Environment.

10/21/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 081197 [Transfer of Real Property - 575 Polk Street]
Mayor
Ordinance authorizing the transfer of responsibilities for the court facilities at 575 Polk Street and the agreement to make ongoing payments of fixed court facility payments equal to \$323,132.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

10/21/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

4. 081198 [Transfer of Real Property - 400 McAllister Street]**Mayor**

Ordinance authorizing the transfer of responsibilities and the future transfer of fee interest in the court facility located at 400 McAllister Street and the agreement to make ongoing payments of fixed court facility payments equal to \$955,022.00 per year, adjusted by an inflation index, to the State of California pursuant to such transfer.

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

5. 081216 [Reward for Information about underpayment of property tax]**Supervisor McGoldrick**

Ordinance approving Assessor's recommended reward for information that led to detection of underpayment of property tax from unreported change of ownership.

10/21/2008, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

6. 080883 [Zoning Map - Creating the New Mission-Harrington Special Use District]**Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by adding new Section 780.3, creating the Mission-Harrington Special Use District, located at 4550 Mission Street at the intersection with Harrington Street; amending the Table at Section 712, to refer to this new Special Use District; amending the Zoning Maps Special Use District Map SU11, Zoning Map ZN11 and Height and Bulk Map HT11 of the Zoning Map of the City and County of San Francisco, to refer to this new Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Peskin

7. **081161** **[Mission Bay North-Acceptance of Land and Improvements for Block N2]**
Ordinance accepting the Mission Bay Block N2 Public Improvements on Third, Fourth, Berry, and King Streets; approving the dedication of the strips of land along the west side of Third Street, East Side of Fourth Street, North side of Berry Street and South Side of King Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,778; and authorizing official acts in connection with this ordinance.
(Public Works Department)

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

8. 081085 [Public Employment - Office of the Public Defender]

Supervisor McGoldrick

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of two positions (2.0 FTE) Class 8177 Attorneys (Civil/Criminal) in the Office of the Public Defender (PDR).

(Supervisor Elsbernd dissented in committee.)

(Fiscal Impact.)

10/21/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

9. 080954 [Planning Code-Amending Article 11 Designation of 690 Market Street]

Supervisor Peskin

Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/22/2008, RE-REFERRED to Government Audit and Oversight Committee.

10/21/2008, CONTINUED. Continued to October 28, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

10. 080436 [Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]
Supervisors Alioto-Pier, Chu, Elsbernd
Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

10/21/2008, CONTINUED. Continued to October 28, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

11. 081217 [Approval of three contracts for the Department of Public Health]
Resolution retroactively authorizing the San Francisco Department of Public Health to enter into three contracts providing mental health services for clients in long term care in locked facilities, for pharmacy management services and for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services, for the term of October 1, 2008 through June 30, 2013.
(Public Health Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

12. 081264 [Agreement to Purchase Property in Tuolumne County - \$70,000]
Resolution approving and authorizing an agreement for the purchase of approximately 5.61 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$70,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Elsbernd

13. 081193 [Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]
Supervisor McGoldrick
Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 081184 [Urging the State of California to amend the Vehicle Code regarding disabled parking placards]
Supervisor Alioto-Pier
Resolution urging the State of California to amend the Vehicle Code to raise fines for counterfeit or misuse of disabled parking placards, strengthen criteria for disabled parking placards eligibility, and requiring photo identification of disabled placard user on placard.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

15. 080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave]
Supervisor Sandoval
Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 080840 [Designating and describing amended Treasure Island/Yerba Buena Island Survey Area]
Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

17. 081004 [Interim Controls On Major Rights of Way along and near the Southern 19th Avenue Corridor]
Supervisor Elsbernd
Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/22/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

Question: Shall this Resolution be ADOPTED?

18. 081005 [19th Avenue Cumulative Impact Study]
Supervisors Elsbernd, Chu
Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

9/9/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

Question: Shall this Resolution be ADOPTED?

19. 081281 [Application to Amend San Francisco's Priority Development Area Designation]
Supervisors Elsbernd, Chu
Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.

Question: Shall this Resolution be ADOPTED?

20. 081118 [Administrative Code - Community Preservation and Blight Reduction Act]
Supervisor Sandoval
Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

10/7/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute Ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Peskin

21. 081191 [Opposing renewal of wastewater discharge permit for Potrero Power Plant Unit 3]
Supervisors Maxwell, Dufty, Peskin, Daly
Resolution establishing City policy opposing renewal of the wastewater discharge permit for Mirant's Potrero Power Plant Unit 3 and urging the San Francisco Bay Regional Water Quality Control Board to decline to issue a permit extension.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

22. 070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 16, 2007

10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members.
Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to January 15, 2008

1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 28, 2008 at 4:00 p.m.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. Continued to October 28, 2008 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

24. 070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

4/29/2008, CONTINUED. Continued to July 29, 2008

7/29/2008, CONTINUED. Continued to October 28, 2008 at 4:00 p.m.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, October 27, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 28, 2008.

25. 081338 [Declaration of Intention to form the Tourism Improvement District]
Mayor, Supervisors Peskin, Maxwell

Resolution (1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Tourism Improvement District" and levy a multi-year assessment on identified hotel businesses in the district, (2) approving the management district plan for the district, (3) ordering and setting a time and place for a public meeting and a public hearing thereon, (4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 27, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 28, 2008.

26. 081010 [Building - Ban on Wooden Fixed Utility Ladder]
Supervisor McGoldrick

Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 080281 [Building Code - Slope Protection Act]
Supervisor Peskin

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

*The following items will be considered by the Rules Committee at a Special Meeting on Monday, October 27, 2008 at 12:00 Noon. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 28, 2008.
(Only one of the following three motions should be approved.)*

28. 081309 [Appointment, Taxi Commission - Arthur Tom]

Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

Question: Shall this Motion be APPROVED?

29. 081310 [Appointment, Taxi Commission - Arthur Tom]

Motion rejecting the Mayor's appointment of Arthur Tom to the Taxi Commission for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

Question: Shall this Motion be APPROVED?

30. 081311 [Appointment, Taxi Commission - Arthur Tom]

Motion taking no position concerning the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – October 8, 2008.)

Question: Shall this Motion be APPROVED?

The following item will be considered by the City Operations and Neighborhood Services Committee at a Special Meeting on Tuesday, October 28, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 28, 2008.

31. 080935 [Urging SFUSD to reconsider current school assignment system]

Supervisors Chu, Alioto-Pier

Resolution urging the San Francisco Unified School District (SFUSD) to reconsider the current school assignment system for K-12 admissions and place greater emphasis on geographic considerations for school assignments.

(Supervisor McGoldrick dissenting in Committee.)

9/9/2008, REFERRED to City and School District Select Committee. Supervisor Alioto-Pier requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 34 through 39

34. 081347 [Commending Doctors Without Borders for "A Refugee Camp in the Heart of the City"]
Supervisor Mirkarimi
Resolution commending Doctors Without Borders/Médecins Sans Frontières for producing the interactive exhibit "A Refugee Camp in the Heart of the City."

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 081348 [Urging reducing exposure to Bisphenol A]
Supervisors Alioto-Pier, Dufty, Chu
Resolution calling upon San Francisco hospitals and retailers to help reduce infant exposure to Bisphenol A (BPA) by discontinuing the sale and distribution of baby bottles containing BPA.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 081349 [Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]
Supervisor Alioto-Pier
Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 081350 [Hostelling International Day - October 26, 2008]
Supervisor Peskin
Resolution declaring October 26, 2008 as Hostelling International Day in San Francisco.

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

38. 081351 [Small Business Fee Survey and Freeze - Feasibility Study]
Supervisors Peskin, Maxwell
Resolution urging the Controller's Office, Mayor's Office and relevant City agencies to conduct a survey of all fees paid by small business and investigating the feasibility of freezing or reducing these fees for a one-year period to assist small businesses in responding to the current economic crisis.
- 10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 081352 [Waiver permitting City employees to assist the Department of Elections with the November 4, 2008 election]
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.
- 10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 14, 2008 to October 20, 2008, for reference by President to appropriate committee on October 28, 2008.

081275 [Summary Vacation of Stevenson Street between 8th and 9th Streets]

Ordinance ordering the summary vacation of Stevenson Street between 8th and 9th Streets; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.
(Real Estate Department)

10/20/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081346 [Approving Contract for Security Services - \$20,215,000]

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$20,215,000 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice.
(Human Services Department)

10/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081356 [Zoning Map Amendment - Assessor's Block 6753, Lot 063]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the zoning of the entire area of Assessor's Lot No. 063 in Block 6753 from P (Public) to RH-2 (Residential, House Districts, Two-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b).
(Planning Department)

9/30/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 14, 2008 to October 20, 2008, for reference by President to appropriate committee on October 28, 2008.

081219 [Gift - Private, Department of Public Health, Community Behavioral Health Services - \$800,000]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to \$800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco.
(Public Health Department)

10/17/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act.
(Real Estate Department)

10/20/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081355 [Petitions and Communications]

Petitions and Communications received from October 11, 2008 through October 20, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 28, 2008 (Items 1 to 32).

From Verizon Wireless submitting notification for SF Noe Valley DAS 13. (1)

From San Francisco Public Utilities Commission responding to Supervisor Ammiano's inquiry. (Reference 20080909-052) Copy: Supervisor Ammiano. (2)

From San Francisco Asthma Task Force supporting the improvement of air quality. File 080934 (3)

From Department of Elections submitting the preparations for the November 4, 2008 election. (4)

From Department of Elections submitting the Emergency Plan for the November 4, 2008 election. (5)

From San Francisco Health Commission submitting the findings of the St. Luke's Blue Ribbon Panel. (6)

From Civil Service Commission submitting the annual report for FY 2006-07. (7)

From Office of the Controller submitting the Monthly Economic Barometer for August 2008. (8)

From Carrie Beard supporting the approval of a type 21 off sale license. (9)

From Planning Department regarding the Market & Octavia Area Plan. Copy: Each Supervisor. (10)

From Planning Department regarding the department's Outreach Plan. (11)

From Kim Malcheski regarding the Eastern Neighborhood Plan. (12)

From Phoebe Williams regarding claim against San Francisco Housing Authority. (13)

From Verizon Wireless submitting notification for SF Noe Valley DAS 4-11 and 15-18. (14)

From San Francisco Public Utilities Commission submitting notification of procedure and timeline when water pipes break. (Reference 20080909-007) (15)

From San Francisco Public Utilities Commission submitting a response to the Mirant Potrero Power Plant inquiry. (Reference 20080909-018) (16)

From Department of Elections submitting the Ranked-Choice Voting Update #4. (17)

From Office of Citizen Complaints submitting the FY2008 Third Quarter Report. Copy: Each Supervisor. (18)

From concerned citizens regarding restoring Sharp Park. File 081279, Copy: Each Supervisor, 27 letters. (19)

From Department of Public Health submitting the FY2008-09 Mental Health Services Act Annual Plan Update. File 081077. (20)

From San Francisco Public Utilities Commission submitting a response to Supervisor Ammiano's inquiry. (Reference 20080909-25) Copy: Supervisor Ammiano. (21)

From Department of Public Works submitting a response to a constituent regarding the Sunset Scavenger. (22)

From Dick Millet regarding the Police facility at 17th Street and De Haro Street. (23)

From Albert Del Rio supporting the historic designation of the Tenderloin. (24)

From Recreation and Park Commission submitting the impacts of the Outside Lands Music Festival. (Reference 20080909-008) (25)

From concerned citizens regarding the renaming of the San Francisco sewage plant. 2 letters. (26)

From Office of the Controller submitting a summary of the City's exposure to the global downturn in Capital Markets. Copy: Each Supervisor. (27)

From Department of Aging and Adult Services submitting its Statement of Incompatible Activities. (28)

From Department of Public Works submitting notification on graffiti removal form various locations. (Reference 20080812-002) Copy: Supervisor Mirkarimi. (29)

From Ann Garrison regarding issues with the Department of Elections. (30)

From concerned citizens regarding the North Beach Commercial District. File 080696, Copy: Each Supervisor, 7 letters. (31)

From Maureen Edwards regarding the San Francisco Zoo. Copy: Each Supervisor. (32)

APPOINTMENT BY THE MAYOR

Treasure Island Development Authority
Douglas Shoemaker

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 4, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/sitc/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the September 23, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Elsbernd

1. 081193 [Prohibiting sale of tobacco products on property owned by or under the control of the City and County of San Francisco]
Supervisor McGoldrick
Ordinance amending the San Francisco Health Code by adding Article 19K, Sections 1010 through 1010.4, to prohibit sales of tobacco products on property owned by or under the control of the City and County of San Francisco.

10/28/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

2. 080954 [Planning Code - Amending Article 11 Designation of 690 Market Street]
Supervisor Peskin
Ordinance amending the designation of 690 Market Street from "Unrated—Category V" to "Significant—Category II" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

7/22/2008, RE-REFERRED to Government Audit and Oversight Committee.

10/21/2008, CONTINUED. Continued to October 28, 2008

10/28/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

3. 081010 [Building - Ban on Wooden Fixed Utility Ladder]
Supervisor McGoldrick
Ordinance amending the San Francisco Housing Code to add Section 605 prohibiting wooden fixed utility ladders in R-1, R-2, and R-3 Occupancies, and making findings under the California Environmental Quality Act.
- 10/28/2008, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?
4. 080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave]
Supervisor Sandoval
Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

10/28/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 081118 [Administrative Code - Community Preservation and Blight Reduction Act]
Supervisor Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 80, Sections 80.1 through 80.10, to establish a uniform procedure for enforcement of blight-related provisions of existing municipal code sections and to provide for: additional definition of blight conditions subject to enforcement, administrative penalties for failure to abate blight, summary abatement for certain blighted conditions, an administrative process for contesting the Director's declaration of blight, and civil penalties and injunctive remedies for continuing violations; and making environmental findings.

10/7/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute Ordinance bearing new title.

10/28/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 080281 [Building Code - Slope Protection Act]
Supervisor Peskin

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

10/28/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Duffy

7. 081072 [Authorizing the Sheriff to execute contracts with the State and accept and expend funds associated with a Secure Reentry Program Facility]
Supervisors Mirkarimi, Duffy

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) and accept and expend funds associated with the contracts. The purpose of the contract is to establish a pilot San Francisco County Secure Reentry Program Facility (SRPF) that will provide up to 12 months of intensive, in-custody evidence based reentry programming which will address the offender's underlying employment, mental health and substance abuse issues. This will be followed by 12 months of accountability based out-of-custody reentry programming.
(Sheriff)

Question: Shall this Resolution be ADOPTED?

8. 081271 [Accept - Expend Federal grant, Port - \$1,522,536]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$1,522,536 from the Department of Homeland Security, Infrastructure Protection Program for security enhancements at the Port of San Francisco.

Question: Shall this Resolution be ADOPTED?

9. 081326 [Airport grant - Accept-Expend State grant - \$139,462.72]
Supervisor Alioto-Pier
Resolution authorizing the Airport Commission to retroactively accept and expend funding totaling \$139,462.72 from the State of California 9-1-1 Emergency Communications Office for the San Francisco International Airport (SFO) Communications 9-1-1 Phone Upgrade project.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

10. 081068 [Settlement of City's Lawsuit Against Defendant EnCana Corp - \$265,695.80]
Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023), filed by the City and County of San Francisco on June 8, 2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$265,695.80 to the City from defendant EnCana Corp. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 081165 [Settlement of Lawsuit - Twylah Sperka - \$49,000]
Ordinance authorizing settlement of the lawsuit filed by Twylah Sperka against the City and County of San Francisco for \$49,000; the lawsuit was filed on February 26, 2007 in San Francisco Superior Court, Case No. 460-772; entitled Twylah Sperka v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 081166 [Settlement of Lawsuit - J. Hadley Loudon - \$35,000]
Ordinance authorizing settlement of the lawsuit filed by J. Hadley Loudon against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 5, 2006 in San Francisco Superior Court, Case No. 06-452880, entitled J. Hadley Loudon v. Sgt. Sorgie et al., and removed to the United States District Court, Northern District of California, Case No. 06-04762 MHP, on August 7, 2006. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 081205 [Settlement of Lawsuit, Gladys DeWitt - \$50,000]
Ordinance authorizing settlement of the lawsuit filed by Gladys DeWitt against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 19, 2007 in San Francisco Superior Court, Case No. 459735, and removed, on July 27, 2007, to United States District Court for the Northern District of California, Case No. C-07-03791 PJH, entitled DeWitt v. City and County of San Francisco, et al.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 081259 [Settlement of Lawsuit - Karen Douma - \$1,695,100.00]
Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg, Inc., Alem Belai, City And County Of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally for \$1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF American Taxicab, Inc., et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 081260 [Settlement of Lawsuit - James R. Figueroa - \$65,000]
Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for \$65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 081261 [Settlement of Lawsuit - Husam Sajjan - \$100,000.00]
Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for \$100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - \$150,000.00]
Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for \$150,000.00; the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]
Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 081169 [Appointment, Graffiti Advisory Board, Jana Lord]
Motion appointing Jana Lord, term ending April 10, 2009, to the Graffiti Advisory Board, residency requirement waived.
Jana Lord, succeeding Alexander Mamak, resigned, seat 17, must represent contracting agency for Municipal Railway shelters, for unexpired portion of a two-year term ending April 10, 2009.

Question: Shall this Motion be APPROVED?

20. 081274 [Appointment, Peak Oil Preparedness Task Force, Benjamin Lowe]
Motion appointing Benjamin Lowe, term ending March 27, 2009, to the Peak Oil Preparedness Task Force.
Benjamin Lowe, succeeding Jan Lundberg, seat 4, resigned, must represent the public-at-large, for unexpired portion of two-year term ending March 27, 2009.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

21. 081228 [Appropriating \$498,304 General Fund Reserve for Mission District violence prevention and reduction grants in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009]
Supervisor Ammiano
Ordinance appropriating \$498,304 from the General Fund Reserve for high risk youth violence prevention and reduction grants focusing on intensive case management, outreach and programming in the Mission District in the Department of Children, Youth and Their Families for Fiscal Year 2008-2009.
(Fiscal Impact.)

10/21/2008, CONTINUED. File 081228 was duplicated. File 081321 was referred to the Public Safety Committee. File 081228 was continued to November 4, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, McGoldrick, Elsbernd

22. 080658 [General advertising on City buildings and street furniture]
Supervisor McGoldrick
Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.
(9/16/08 - Supervisor McGoldrick submitted a substitute ordinance bearing new title.)

9/16/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

23. 081231 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending Section 14B.8 to direct the Human Rights Commission to assign numeric point values to the good faith outreach steps that bidders must undertake for all public work/construction, architect/engineering, professional service and general service contracts that exceed the minimum competitive amount or threshold amount.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 081289 [Public Employment - Port of San Francisco (PRT)]
Mayor
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of one position (0.50 FTE) Class 5502, Project Manager 1 at the Port of San Francisco (PRT).

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 080942 [Approval of contract pursuant to settlement; Waiver of competitive bidding - \$56,500,000]
Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of \$56,500,000.
(Airport Commission)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 081287 [Airport Refunding Bonds - \$2,540,000,000]
Supervisor Peskin
Resolution approving the issuance of up to \$2,540,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; and approving certain related matters.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 080941 [Settlement of Lawsuit - CCSF, et al., v. Factory Mutual Insurance Company, et al. - \$2,750,000]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier Transportation, Inc. for \$2,750,000 and other consideration; the lawsuit was filed on December 15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al.
(Airport Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 081265 [Approval of the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program Implementation Plan]
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 and the Substance Abuse Offender Treatment Program for Fiscal Year 2008-2009.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

29. 081058 [Planning - Conditional Use Requirement for Power Plants in M-1 and M-2 Zoning Districts]
Supervisors Maxwell, Peskin
Ordinance amending Planning Code Section 226 to require that power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter 29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 081234 [Zoning - Prohibiting Formula Retail Uses in the Chinatown Visitor Retail District and establishing a conditional use permit requirement for formula retail uses]
Supervisor Peskin
Ordinance amending the Planning Code by amending Section 803.6 to prohibit formula retail uses in the Chinatown Visitor Retail District, and to create a conditional use requirement for formula retail uses in the Chinatown Community Business District and the Chinatown Residential Neighborhood Commercial District; amending Section 803.2 to refer to this prohibition and conditional use requirement, and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(9/19/08 - Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee With Recommendation "Do Not Pass"

Present: Supervisors Maxwell, Peskin

31. 081015 [Mirant Potrero Power Plant retrofit]
Mayor
Resolution authorizing and directing the negotiation and execution of a memorandum of agreement relating to the retrofit of Potrero Power Plant Units 4, 5 and 6, the closure of all Potrero Power Plant generating units if and when such units are no longer needed for electric system reliability, and the reuse of the Potrero power Plant site upon such closure.

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

32. 061438 [Public Works Code - Sidewalk flower-vending stands]
Supervisor McGoldrick
Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty

33. 081119 [Noise Control Ordinance]
Supervisor Ammiano
Ordinance amending the San Francisco Police Code by amending Sections 49, 2900, 2901, 2902, 2904, 2907, 2908, 2909, 2910, 2912, 2916, 2917, and 2918, repealing Sections 2903, 2906, 2911, 2913, 2914, 2915, and 2918, and adding new Sections 2912, 2920, 2922, 2924, and 2926, to revise the City's noise control regulations, add administrative penalties, and create a noise task force.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Dufty, Ammiano

34. 081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]
Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 081227 [Voting Systems Task Force]**Supervisor Ammiano**

Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 081285 [Lobbyist Ordinance amendments to regulate permit lobbying]**Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director, Assistant Director or Deputy Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 081317 [Authorizing Settlement of Attorney's Fees and Costs Claim Following Lawsuit - \$380,000]

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by Paula Fiscal, Larry Barsetti, Rebecca Kidder, Dana Drenkoski, John Candido, Alan Byard, Andrew Sirkis, National Rifle Association, Second Amendment Foundation, California Association of Firearm Retailers, Law Enforcement Alliance of America, and San Francisco Veteran Police Officers Association in litigation against the City and County of San Francisco, for \$380,000.00; the lawsuit was filed on December 29, 2005 in San Francisco Superior Court, Case No. CPF-050505960; entitled Fiscal, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 081257 [Confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency]**Mayor**

Motion confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

39. 081123 [Hearing - Ordering vacation of the Ingleside Path]
Supervisor Elsbernd

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Action: _____

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, Peskin

40. 081120 [Ordering vacation of the Ingleside Path]
Supervisor Elsbernd

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

10/7/2008, CONTINUED. Continued to a public hearing on November 4, 2008 at 3:00 p.m.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, November 3, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 4, 2008.

41. 081376 [Municipal Identification Cards]
Supervisor Ammiano
Ordinance amending Section 95.2 of the Administrative Code to revise the documentation requirements for proof of identity and proof of residency for municipal identification card applicants.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
42. 081377 [Suspending Sections 468.3 through 468.8 of the Menu Labeling Ordinance]
Supervisor Ammiano
Ordinance amending the San Francisco Health Code by adding Section 468.9, to suspend Sections 468.3 through 468.8 of the Menu Labeling Ordinance.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
43. 080953 [Approval of an historical property contract for 690 Market Street ("Chronicle Building")]
Supervisor Peskin
Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between RC Chronicle Building LP and 690 Market Master Association, the owners of 690 Market Street ("Chronicle Building"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
44. 081290 [Disposition and Development Agreement for the Old Mint]
Mayor
Resolution approving and authorizing an amendment to the Old Mint Disposition and Development Agreement between the City and County of San Francisco and the San Francisco Museum and Historical Society to extend the dates for performance.
- Question: Shall this Resolution be ADOPTED?

45. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

46. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 47-53

47. 081349 [Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]
Supervisor Alioto-Pier
Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").

10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/28/2008, CONTINUED. Continued to November 4, 2008
Question: Shall this Resolution be ADOPTED?
48. 081385 [Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009]
Mayor
Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal transportation grants expiring on June 30, 2009.

10/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

49. 081386 [Accept and Expend Gift - Excelsior Youth Center - \$50,000]
Supervisor McGoldrick
Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend a gift from Macy's West, Inc. in the amount of \$50,000 for operations and programming at the Youth Center in the Excelsior District.
- 10/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 081387 [Market and Octavia Community Advisory Committee]
Supervisor Mirkarimi
Resolution establishing the Market and Octavia Community Advisory Committee according to Planning Code Section 341.5.
- 10/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 081312 [Final Map - 631 Folsom Street]
Motion approving Final Map 4220, a 114 Residential and 2 Commercial Unit Mixed-Use Condominium Project, located at 631 Folsom Street being a subdivision of Lot 090 in Assessors Block No. 3750 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,814; District 6.)
- 10/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
52. 081313 [Final Map - 1360-1364 Stevenson Street]
Motion approving Final Map 4927, a 5 Unit Residential Condominium Project, located at 1360 - 1364 Stevenson Street being a subdivision of Lot 073 in Assessors Block No. 3513 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,853; District 6.)
- 10/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
53. 081314 [Final Map - 231 Franklin Street, 327 & 315 Hayes Street]
Motion approving Final Map 4457, a 32 Residential and 1 Commercial Unit Mixed-Use Condominium Project, located at 231 Franklin Street, 327 & 315 Hayes Street being a subdivision of Lots 002, 017, and 022 in Assessors Block No. 0816 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,858; District 6.)
- 10/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda.*

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from October 21, 2008 to October 27, 2008, for reference by President to appropriate committee on November 4, 2008.

081372 [Mission Bay North-Park Parcels NP3, NP4 and NP5 Improvements]

Ordinance designating a portion of State Trust Parcel 1, lying next to the Mission Creek Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities as public open space and for park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,882; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

10/27/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 21, 2008 to October 27, 2008, for reference by President to appropriate committee on November 4, 2008.

081359 [Amending the agreement between the CCSF and Golden Gate Petroleum for backup supplies of gasoline and diesel fuel to \$20 million]

Resolution approving the First Amendment to the Agreement between the City and Golden Gate Petroleum as a backup supplier of gasoline and diesel fuel, increasing the contract's dollar amount to \$20 million, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)

10/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081360 [Lease of Real Property at 3801 Third Street, Suite 400]

Resolution authorizing the Lease at 3801 Third Street, Suite 400, for the Department of Public Health commencing retroactively on July 1, 2008.
(Real Estate Department)

081361 [Raising a contract's not-to-exceed amount to more than \$10 million]

Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (City) and Firestone-Bridgestone (Contractor) for rental of bus tires, increasing the contract's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

10/23/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081362 [Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City.
- 10/24/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 081363 [Settlement of Unlitigated Tax-Related Matter with Internal Revenue Service]
Resolution authorizing settlement of unlitigated tax-related matter with the Internal Revenue Service regarding potential tax liability.
(City Attorney)
- 10/24/2008, RECEIVED AND ASSIGNED to Rules Committee.
- 081370 [Lease of Real Property - 1325A Evans Avenue]
Resolution authorizing a new lease of approximately 3,287 rentable square feet of space at 1325A Evans Avenue for the San Francisco Public Utilities Commission.
(Real Estate Department)
- 10/27/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081371 [Amendment to Lease of Real Property at 3119 Mission Street]
Resolution authorizing the Amendment to Lease at 3119 Mission Street for the Human Services Agency.
(Real Estate Department)
- 10/27/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 081373 [Agreement for the Reimbursement for Interim Assistance Payments Pursuant to Section 1631(g) of the Social Security Act]
Resolution authorizing the renewal of Resolution 791-89 between the City and County of San Francisco and the State of California Department of Social Services for the purpose of assuring the availability of reimbursement to the City and County by the Secretary of Health and Human Services for the interim assistance paid to Social Security Income Program (SSI)/ State Supplementary Payment (SSP) Applicants.
(Human Services Department)
- 10/27/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081389 [Petitions and Communications]

Petitions and Communications received from October 21, 2008 through October 27, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 4, 2008.

From Elections Commission, submitting waiver allowing City employees to assist the Department of Elections with the November 4, 2008 General Election. (1)

From California Department of Transportation, submitting a report on illegal discharge (or threatened illegal discharge) of hazardous waste. (2)

From Department of Human Resources, submitting Quarterly Report of Economic Settlements for FY 2006-07, 2007-08, and July 1, 2008 through September 30, 2008. (3)

From Maria X. Martinez, submitting a resignation letter from the Family Seat of the San Francisco SRO Task Force. Copy: Supervisor Ammiano. (4)

From Mayor's Office, responding to various Board inquiries. (Reference 20080909-019, 20080909-033, 20080909-021, 20080909-051). (5)

From Hot Team Agency, complaining of the conditions at 150 Otis Homeless Shelter against a maintenance worker. (6)

From Richard C. Millet, complaining of the negotiation to install a specialized Police Department at 17th and De Haro Street. (7)

From concerned citizens, regarding evaluating the purpose and practices at the San Francisco Zoo. 3 letters. (8)

From Parkmerced Residents Organization, submitting comments on various issues. File 081285, 080162, 080652, 080436 & 081301, Copy: Each Supervisor. (9)

From Parkmerced Residents Organization, commenting on the Slope Protection Act. File 080281, Copy: Each Supervisor. (10)

From Parkmerced Residents Organization, commenting on various issues. File 081004, 081005, 081281), Copy: Each Supervisor, 2 letters. (11)

From Verizon Wireless, submitting notification for SF Noe Valley DAS 12. (12)

From Safe Paul, commenting on ID cards relating to identity theft and fraud. Copy: Each Supervisor. (13)

From Janette Barroca, supporting Proposition V on the November 4, 2008 Election ballot. (14)

From Rev. Vernon Link, suggesting incorporating a grocery store in the new mall development on Market between 5th and 6th Street. (15)

From Department of Public Health, submitting Quarterly Aids Surveillance Report through September 2008. (16)

From Police Department, responding to the Board's inquiry regarding the Outside Lands Music Festival. (Reference 20080909-10). (17)

From San Francisco Public Utilities Commission, responding to Supervisor Ammiano's inquiry. (Reference 20080909-052), Copy: Supervisor Ammiano. (18)

From Public Library Commission, submitting Resolution No. 2008-04 determining to utilize a lease financing transaction. Copy: Each Supervisor. (19)

From Fire Department, regarding renaming of Avery Street. Copy: Supervisor Mirkarimi. (20)

From Fire Department, regarding renaming of Rowland Street. Copy: Supervisor Mirkarimi. (21)

From Walk San Francisco, expressing support on annual right-of-way assessment fee for driveways. File 081086, Copy Each Supervisor. (22)

From U.S. Department of Education, submitting ED Review. (23)

From concerned citizens, commenting on Community Choice Energy. 46 letters. (24)

From Noreen Weeden, regarding restoring Sharp Park. (25)

From concern citizens, commenting on motorcycle noise control. 2 letters. (26)

From Department of Public Works, submitting Quarterly Report of Defective Sidewalk Repair Revolving Account for the period of July 1, 2008 through September 30, 2008. (27)

From Austin Law Group, submitting a letter requesting to withdraw the permit for 1166 Haight Street. Copy: Each Supervisor. (28)

From Craig Martell, commenting on Parkmerced Resident Organization. Copy: Supervisor Elsbernd. (29)

From Office of the Sheriff, regarding a State contract for a Secure Reentry Program Facility. File 081072. (30)

From Employees' Retirement System, submitting actuarial report of the cost and effect regarding regulation of the conditions for purchasing prior public service credit through the Retirement System. File 080379. (31)

From Office of the Clerk of the Board, submitting Memorandum to inform the Board members that the following individual has submitted a Form 700 Statement: (32)

Jennifer Stuart, Legislative Aide to Supervisor Alioto-Pier

From Municipal Transportation Agency, responding to Supervisor Chu's request concerning various stop sign requests in the Sunset District. (33)

From concern citizen, submitting abuse news report #3854 and #3852 by John Jenkel. Copy: Each Supervisor. (34)

From Department of Public Works, responding to Board of Supervisors inquiry. (Reference 20080909-009). (35)

From Human Services Agency, submitting an approved revised FY 08-09 savings projection for Human Services Care Fund. (36)

From Fire Department, providing a copy of a wavier request that was submitted to the Human Rights Commission. (37)

From Kevin Jefferson, supporting the require activation of closed captions during video events. File 081082. (38)

From Office of the Controller, submitting a departmental performance measures report for FY 2007-08. (39)

From Rosemary Jones, opposing on the proposal of Lincoln Park golf course. (40)

From Tenants 769NorthPoint, commenting on the construction at 2650-52 Hyde Street. (41)

From Ahimsa Sumchai, forwarding an announcement from UCSF regarding 100% smoke-free environment. (42)

From Office of the Clerk of the Board, regarding appointments by the Mayor to various Boards and Commissions. 2 letters. (43)

From Graffiti Advisory Board, submitting 12 Month Report for the period of July 2007 through June 2008. Copy: Each Supervisor. (44)

APPOINTMENT BY THE MAYOR

Environment Commission
Matthew Tuchow

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 18, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

DOCUMENTS DEPT.

NOV 14 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunión debe recibirse antes de mediodía del día viernes anterior a la reunión. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 7, 2008 and October 21, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

1. 081231 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending Section 14B.8 to direct the Human Rights Commission to assign numeric point values to the good faith outreach steps that bidders must undertake for all public work/construction, architect/engineering, professional service and general service contracts that exceed the minimum competitive amount or threshold amount.

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 081289 [Public Employment - Port of San Francisco (PRT)]
Mayor
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the addition of one position (0.50 FTE) Class 5502, Project Manager 1 at the Port of San Francisco (PRT).

11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 080942 [Approval of contract pursuant to settlement; Waiver of competitive bidding - \$56,500,000]
Ordinance waiving competitive bid requirements and approving the award of an Operations and Maintenance Contract ("O&M") with Bombardier Transportation (Holdings) USA, Inc. (Bombardier) to operate and maintain the San Francisco International Airport's AirTrain system for five years in the amount of \$56,500,000.
(Airport Commission)
(Fiscal Impact.)

11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. 080941 [Settlement of Lawsuit - CCSF, et al., v. Factory Mutual Insurance Company, et al. - \$2,750,000]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Factory Mutual Insurance Company and Bombardier Transportation, Inc. for \$2,750,000 and other consideration; the lawsuit was filed on December 15, 2004, in The United States District Court, Northern District of California, Case No. C 04-5307 FMS; entitled City and County of San Francisco, et al., v. Factory Mutual Insurance Company, et al.
(Airport Commission)

11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 081377 [Suspending Sections 468.3 through 468.8 of the Menu Labeling Ordinance]
Supervisor Ammiano
Ordinance amending the San Francisco Health Code by adding Section 468.9, to suspend Sections 468.3 through 468.8 of the Menu Labeling Ordinance.

11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

6. 081234 [Zoning - Prohibiting Formula Retail Uses in the Chinatown Visitor Retail District and establishing a conditional use permit requirement for formula retail uses]
Supervisor Peskin
Ordinance amending the Planning Code by amending Section 803.6 to prohibit formula retail uses in the Chinatown Visitor Retail District, and to create a conditional use requirement for formula retail uses in the Chinatown Community Business District and the Chinatown Residential Neighborhood Commercial District; amending Section 803.2 to refer to this prohibition and conditional use requirement, and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(9/19/08 - Economic Impact.)

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

7. 081068 [Settlement of City's Lawsuit Against Defendant EnCana Corp - \$265,695.80]
Ordinance authorizing partial settlement of the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023), filed by the City and County of San Francisco on June 8, 2004, and coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$265,695.80 to the City from defendant EnCana Corp.
(City Attorney)
8. 081165 [Settlement of Lawsuit - Twylah Sperka - \$49,000]
Ordinance authorizing settlement of the lawsuit filed by Twylah Sperka against the City and County of San Francisco for \$49,000; the lawsuit was filed on February 26, 2007 in San Francisco Superior Court, Case No. 460-772; entitled Twylah Sperka v. City and County of San Francisco, et al.
(City Attorney)

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 081166 **[Settlement of Lawsuit - J. Hadley Loudon - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by J. Hadley Loudon against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 5, 2006 in San Francisco Superior Court, Case No. 06-452880, entitled J. Hadley Loudon v. Sgt. Sorgie et al., and removed to the United States District Court, Northern District of California, Case No. 06-04762 MHP, on August 7, 2006.
(City Attorney)
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
10. 081205 **[Settlement of Lawsuit, Gladys DeWitt - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Gladys DeWitt against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 19, 2007 in San Francisco Superior Court, Case No. 459735, and removed, on July 27, 2007, to United States District Court for the Northern District of California, Case No. C-07-03791 PJH, entitled DeWitt v. City and County of San Francisco, et al.
- 11/4/2008, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
11. 081259 **[Settlement of Lawsuit - Karen Douma - \$1,695,100.00]**
Ordinance authorizing settlement of the lawsuit filed by Karen Douma, individually, Karen Douma, as Personal Representative of the Estate Of David Douma, deceased, Jason Douma, individually, Pamela Fay, individually, and David Douma, Jr., individually against SF American Taxicab, Inc., Autos For Hire Rpg, Inc., Alem Belai, City And County Of San Francisco, Regents of The University of California, DOES 1 to 100, jointly and severally for \$1,695,100.00; the lawsuit was filed on August 10, 2007 in San Francisco Superior Court, Case No. CGC-07-466068; entitled Karen Douma, et al., v. SF American Taxicab, Inc., et al.
(City Attorney)
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
12. 081260 **[Settlement of Lawsuit - James R. Figueroa - \$65,000]**
Ordinance authorizing settlement of James R. Figueroa's claims in the lawsuit filed by James R. Figueroa against the City and County of San Francisco for \$65,000; the lawsuit was filed on September 26, 2007, in the San Francisco Superior Court, Case No. 467599, entitled James Figueroa v. City and County of San Francisco dba Department of Public Works.
(City Attorney)
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
13. 081261 **[Settlement of Lawsuit - Husam Sajjan - \$100,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Husam Sajjan against the City and County of San Francisco for \$100,000.00; the lawsuit was filed on December 12, 2006 in the San Francisco Superior Court, Case No. 458649; entitled Husam Sajjan v. City and County of San Francisco, et al.
(City Attorney)
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?

14. 081262 [Settlement of Lawsuit - Estate of Nicholas Torrico, et al. - \$150,000.00]
Ordinance authorizing settlement of the lawsuit filed by the Estate of Nicholas Torrico, et al. against the City and County of San Francisco for \$150,000.00; the lawsuit was filed on July 13, 2007 in United States District Court, Case No. C07-3624 JCS; entitled Estate of Nicholas Torrico, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/4/2008, PASSED ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

15. 081263 [Approval of Settlement Agreement before the Federal Energy Regulatory Commission]
Ordinance approving a settlement agreement related to the electricity crisis of 2000-2001 in proceedings before the Federal Energy Regulatory Commission and accepting distribution of settlement funds collected by FERC.
(City Attorney)

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

16. 081086 [Public Works Code - annual right-of-way occupancy assessment fee for driveways]
Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires modification to the public right-of-way; and making environmental findings.

8/12/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

10/21/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/21/2008, CONTINUED AS AMENDED. Continued as amended to November 18, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, McGoldrick, Elsbernd

17. 080658 [General advertising on City buildings and street furniture]
Supervisor McGoldrick
Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.
(9/16/08 - Supervisor McGoldrick submitted a substitute ordinance bearing new title.)

9/16/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

11/4/2008, CONTINUED. Continued to November 18, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

18. 081376 [Municipal Identification Cards]
Supervisor Ammiano
Ordinance amending Section 95.2 of the Administrative Code to revise the documentation requirements for proof of identity and proof of residency for municipal identification card applicants.

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

19. 061438 [Public Works Code - Sidewalk flower-vending stands]
Supervisor McGoldrick
Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

11/4/2008, CONTINUED. Continued to November 18, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, Peskin

20. 081120 [Ordering vacation of the Ingleside Path]

Supervisor Elsbernd

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

10/7/2008, CONTINUED. Continued to a public hearing on November 4, 2008 at 3:00 p.m.

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 080436 [Authorizing the passthrough from landlord to residential tenant of fifty percent of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]

Supervisors Alioto-Pier, Chu, Elsbernd

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building and no plumbing leaks exist in the building; and providing for passthrough administration, noticing and enforcement procedures.

10/21/2008, CONTINUED. Continued to October 28, 2008

10/28/2008, CONTINUED. Continued to November 18, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty

22. 081119 [Noise Control Ordinance- Establishing Noise Task Force]

Supervisor Ammiano

Ordinance amending the San Francisco Police Code by amending Sections 49, 2900, 2901, 2902, 2904, 2907, 2908, 2909, 2910, 2912, 2916, 2917, and 2918, repealing Sections 2903, 2906, 2911, 2913, 2914, 2915, and 2918, and adding new Sections 2912, 2920, 2922, 2924, and 2926, to revise the City's noise control regulations, add administrative penalties, and create a Noise Task Force.

11/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. 081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]
Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.
- 11/4/2008, CONTINUED Continued to November 18, 2008
Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 081227 [Voting Systems Task Force]
Supervisor Annuniano
Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
25. 081285 [Lobbyist Ordinance amendments to regulate permit lobbying]
Supervisors Peskin, Daly
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director, Assistant Director or Deputy Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
26. 081317 [Authorizing Settlement of Attorney's Fees and Costs Claim Following Lawsuit - \$380,000]
Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by Paula Fiscal, Larry Barsetti, Rebecca Kidder, Dana Drenkoski, John Candido, Alan Byard, Andrew Sirkis, National Rifle Association, Second Amendment Foundation, California Association of Firearm Retailers, Law Enforcement Alliance of America, and San Francisco Veteran Police Officers Association in litigation against the City and County of San Francisco, for \$380,000.00; the lawsuit was filed on December 29, 2005 in San Francisco Superior Court, Case No. CPF-050505960; entitled Fiscal, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Supervisor Daly dissented in committee.)
- 11/4/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

27. 081270 [Accept and Expend Public Safety Interoperable Communications Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$14,941,976.82]
Supervisor Alioto-Pier
Ordinance authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Public Safety Interoperable Communications grant in the amount of \$14,941,976.82 from the United States Department of Commerce and to provide \$451,122 as San Francisco's portion of required matching funds; and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions (.58 FTE - 0941 Manager VI and .58 FTE - 0931 Manager III) in the Department of Emergency Management.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
28. 081218 [Amendment to Settlement Agreement with Pacific Gas and Electric Company - Federal ID No. 94-0742640]
Resolution retroactively authorizing the Port to execute an amendment to the settlement agreement between Pacific Gas and Electric Company (PG&E) and the City and County of San Francisco, dated June 14, 2005, in the matter of PG&E's petition for relief under the Bankruptcy Code (Federal ID No. 94-0742640). The settlement resolves a claim of encroachment by PG&E's Hunter's Point Power Plant on Custer, Davidson, India and Ingalls Streets, by: (1) extending PG&E's right to continue occupying approximately 35,465 square feet of Custer and Davidson Streets until July 31, 2012, and to continue occupying approximately 56,484 square feet of Custer, Davidson, India and Ingalls Streets until July 31, 2016, with option to extend each period of occupancy for periods of 6 months at a time with the Port's prior written consent; and (2) delaying the commencement date of a 5-year lease to PG&E of approximately 1,421 square feet of Davidson Street from January 1, 2008 to August 1, 2012.
(Port)
- Question: Shall this Resolution be ADOPTED?
29. 081266 [WSIP Agreement No. CS-914, Bay Division Regional Construction Management Services]
Resolution approving the selection of Jacobs Engineering; awards Water System Improvement Program-funded Agreement No. CS-914, Bay Division Regional Construction Management Services. (Public Utilities Commission)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?

30. 081273 [Lease of Real Property at 25 Van Ness, Lower Level, to New Conservatory Theatre Center] Supervisors Ammiano, Duffy
Resolution authorizing the lease of approximately 12,792 rentable square feet of space to New Conservatory Theatre Center, a California non-profit corporation, in the lower level of 25 Van Ness, San Francisco.

Question: Shall this Resolution be ADOPTED?

31. 081336 [Accept and Expend grant funds to support a juvenile mental health program - \$200,000] Supervisor Maxwell
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$200,000 from the United States Department of Justice, for a project entitled "AIIIM Higher," for the period of September 1, 2008 through August 31, 2010.

Question: Shall this Resolution be ADOPTED?

32. 081353 [Approval of a contract for the Department of Public Health - \$16,472,460]
Resolution authorizing the San Francisco Department of Public Health to enter into a contract for fiscal intermediary services related to the San Francisco Mental Health Plan's for Private Provider Network, residential care facilities, and for mental health wraparound services for the term of January 1, 2009 through December 31, 2009.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Mirkarimi

33. 081343 [Appropriating \$34,755,000 of bond sale proceeds and Library Preservation Fund balance for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009]
Mayor
Ordinance appropriating \$34,755,000 of bond sale proceeds, unappropriated fund balance and unappropriated general reserve for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009. Place on Controller's Reserve \$33,955,000 of the bond sale proceeds pending sale of the bond.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 081344 [Appropriating \$13,222,746 of State Proposition 1B Revenue for Street Resurfacing Projects in the Department of Public Works for Fiscal Year 2008-2009]
Mayor, Supervisor Elsbernd
Ordinance appropriating \$13,222,746 of FY 2008-09 State Proposition 1B Local Streets and Roads Improvement funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the funds to implement road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 081345 [Lease Financing for Library Projects]**Mayor**

Ordinance approving the issuance and sale of lease revenue bonds to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the lease revenue bonds; directing the publication of the Notice of Intention to Sell the lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue bonds; approving the form of an Official Statement in preliminary and final form and directing the Controller to return to the Board at a later date with a revised official statement; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue bonds; approving modifications to documents; adopting findings under the California Environmental Quality Act ("CEQA") and findings pursuant to City Planning Code Section 101.1 and City Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 081384 [Transfer of Responsibilities for Court Facilities]**Mayor**

Resolution authorizing the transfer of responsibilities for three court facilities at 375 Woodside Avenue and 850 Bryant Street and the agreement to make ongoing payments of fixed court facility payments following such transfers to the State of California equal to \$78,275 per year, adjusted by an inflation index, and of \$28,116 per year, adjusted by an inflation index, for the two court facilities at 375 Woodside Avenue, \$703,105 per year, adjusted by an inflation index, for the court facility at 850 Bryant Street.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

37. 081082 [Requiring Activation of Closed Captions During Video Events]**Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by amending Sections 4401 and 4402 to require the activation of closed captioning during video events in a park, open space, zoo, or other outdoor recreation area.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 081340 [Amending Administrative, Police, Public Works, Business & Tax and Transportation Codes, to conform to the 11/06/2007 Proposition on Transit Reform, Parking Enforcement and Emissions Reduction]

Supervisor Peskin

Ordinance amending San Francisco Administrative Code Sections 2A.81, 5.20, 5.130-5.132, Chapter 17, and repealing Administrative Code Sections 2A.180 and 10.150-10.151; amending San Francisco Police Code Sections 386, 835-839, 939, 1054, 1076, 1175-1180, 3057, 3910, adding Police Code Sections 835.1-835.2, 939.1-939.6, 975.1-975.5, and repealing Police Code Sections 710.2, 1166, 1170-1171, and Article 16, Division IX; amending San Francisco Public Works Code Sections 2.4.3 and 724.4, and repealing Section 701; repealing San Francisco Business & Tax Code Sections 1.11-1.14 and 129.2-129.5; repealing and re-enacting San Francisco Transportation Code Division 1, to conform those sections to the 11/06/2007 Proposition on Transit Reform, Parking Regulation, and Emissions Reduction.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, Peskin

**39. 081002 [Zoning - Violations of General Advertising Sign Requirements]
Supervisors Alioto-Pier, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 610 to require response to a notice of violation to be given within 30 days instead of 45 days and to add subsection (f), which addresses repeat violations of general advertising sign requirements by a single entity on the same property; adopting findings, including environmental findings and findings required by Section 302 and Section 101.1 of the Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

**40. 081058 [Planning - Conditional Use Requirement for Power Plants in M-1 and M-2 Zoning Districts]
Supervisors Maxwell, Peskin**

Ordinance amending Planning Code Section 226 to require that power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter 29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

11/4/2008, RE-REFERRED to Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

**41. 081335 [Summary Vacation of Public Utility Easements at the intersection of Crescent Way and Executive Park Boulevard]
Supervisor Maxwell**

Ordinance ordering the summary vacation of unused and unnecessary public utility easements located at the intersection of Crescent Way and Executive Park Boulevard in San Francisco (within Assessor's Block 4991); making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated public utility easements to Top Vision Development, LLC; and authorizing other actions in furtherance of this Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M

42. 081381 [Hearing - Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]

Supervisor Mirkarimi

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

Action: _____

43. 081382 [Ground Lease of Redevelopment Agency Land for 365 Fulton Street Supportive Housing]
Supervisor Mirkarimi

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Ground Lease (the "Ground Lease") for Block 792, Lot 28, commonly known as Central Freeway Parcel G Supportive Housing (the "Project") at 365 Fulton Street, southeast corner of Fulton and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to 365 FULTON, L.P., a California limited partnership, for 65 years for the purpose of developing housing for very low-income formerly homeless residents.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

44. 081365 [Public Hearing - Appeal of Final Environmental Impact Report for the 690 Stanyan Street Project]

Hearing of persons interested in or objecting to the Planning Commission's October 23, 2008 certification of a Final Environmental Impact Report identified as Planning No. 2006.0460E, through it's Motion No. 17732, for a proposed development at 690 Stanyan Street, Assessors Block No. 1228, Lots 005 and 006. (Appellant: Regan Caponi)

(Filed 10/24/08; Companion measure to 081366, 081367, 081368)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

45. 081366 [Affirming certification of 690 Stanyan Street Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 690 Stanyan Street Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

46. 081367 [Disapproving certification of 690 Stanyan Street Project FEIR]
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 690 Stanyan Street Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

47. 081368 [Preparation of findings to disapprove certification of 690 Stanyan Street Project FEIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 690 Stanyan Street Project FEIR.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use & Economic Development Committee at a Regular Meeting on Monday, November 17, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 18, 2008.

48. 081235 [Subdivision Code - notice and appeal procedures, DBI review fee]
Supervisor Peskin
Ordinance amending the Subdivision Code Section 1313 to modify noticing procedures for subdivision applications and delete the Department of Public Works appeal hearing on engineering and surveying matters; amending Section 1314 concerning appellants so that it conforms with the California Subdivision Map Act; amending Section 1359 to conform with the abovementioned amendments; amending Section 1315 to include a processing fee for all subdivisions that the Department of Building Inspection reviews; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
49. 081247 [Zoning - Conditional use authorization for new development in the Bernal South Slope Area]
Supervisor Ammiano
Ordinance amending Planning Code Section 242 to require conditional use authorization for new development in the Bernal South Slope Area, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]
Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 081153 [Planning Code amendments for the Eastern Neighborhoods Area Plans]
Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

52. 081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]
Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the west, Iowa Street to the east, and 23rd Street to the south; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the west, Illinois Street to the east, 20th Street to the north and 23rd Street to the south; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the east, Potrero Avenue to the west, 15th Street to the north and 17th Street to the south; for Integrative PDR Special Use District bounded generally by Cesar Chavez Street to the south, Pennsylvania and Iowa Street to the west, 23rd Street to the north and Michigan and Maryland Streets to the east; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. 081155 [Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]
Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. 081332 [Zoning - Mission District Housing and PDR Replacement Program]
Supervisor Maxwell
Ordinance amending the Planning Code to add Section 319.5 to adopt specified affordable housing requirements in the UMU zone within the Mission Plan Area, in RTO-Mission, and in the Valencia Street, 24th and Mission Streets, and the Mission Street NCTs, including in-lieu affordable housing fees; adding Section 231.1 to establish a PDR replacement program, including an in-lieu PDR Replacement fee, in these same zones; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

55. 081333 [Zoning - SoMa Youth and Family Zone Special Use Districts]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Zone Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 081334 [Zoning - Potrero Center Mixed-Use Special Use District]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. 081339 [Zoning - Publicly-owned properties in the Eastern Neighborhoods]**Supervisor Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Question: Shall this Ordinance be PASSED ON FIRST READING?

58. 080934 [Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments]**Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, November 13, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 18, 2008.

59. 081248 [Changing the name of Rowland Street in North Beach to Dirk Dirksen Alley]**Supervisor Ammiano**

Resolution changing the name of Rowland Street on Broadway in North Beach to "Dirk Dirksen Alley," in recognition of Dirk Dirksen, who will be remembered as one of the most important figures in the musical and cultural history of San Francisco; and authorizing initiation of the process to install a commemorative plaque on said street.

10/21/2008, SUBSTITUTED.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, November 17, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 18, 2008.

60. 081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]
Supervisor Peskin
Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

Question: Shall this Ordinance be PASSED ON FIRST READING?

61. 081341 [Accept-Expend State Grant for Jefferson Street Redesign/Bay Trail Feasibility Study - \$30,000]
Supervisor Peskin
Resolution authorizing the Planning Department to retroactively accept and expend up to \$30,000 from the Association of Bay Area Government for Jefferson Street Redesign/Bay Trail Feasibility Study for FY2008-2009.

Question: Shall this Resolution be ADOPTED?

62. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

63. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 64-72

- 64. 081349 [Commending the Blue Ribbon Panel and prioritizing California Pacific Medical Center's Long Range Development Plan]**
Supervisor Alioto-Pier
Resolution commending the work of the Blue Ribbon Panel and urging all City Departments to prioritize the California Pacific Medical Center Long Range Development Plan ("LRDP").
- 10/21/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/28/2008, CONTINUED. Continued to November 4, 2008
11/4/2008, CONTINUED. Continued to November 18, 2008
Question: Shall this Resolution be ADOPTED?
- 65. 081407 [Commending Tina Modotti]**
Supervisor Peskin
Resolution commending Tina Modotti an independent, liberated woman of incredible talent, intelligence and social commitment who resided in San Francisco in 1913 through 1918.
- 11/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 66. 081408 [Urging the San Francisco Municipal Transportation Agency's Board of Directors to change the name of the MUNI Metro East Maintenance Facility to the "Willie L. Brown, Jr. Light Rail Facility"]**
Supervisor McGoldrick
Resolution urging the San Francisco Municipal Transportation Agency's Board of Directors to change the name of the Metro East Maintenance Facility to the "Willie L. Brown, Jr. Light Rail Facility."
- 11/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 67. 081409 [Brady Street Memorial]**
Supervisor McGoldrick
Resolution dedicating Brady Street in San Francisco to the memory of Margaret and Bernard Brady and recognizing the other historical figures for whom the street was named.
- 11/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 68. 081406 [2009 Board of Supervisors Regular Meeting Schedule]**
Motion revising the 2009 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 20, February 17, May 26, September 8, September 29, October 13, and December 1; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 19 through September 8, 2009 and December 16 through December 31, 2009.
(Clerk of the Board)
- 11/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

69. 081410 [Approval of a historical property contract for 690 Market Street ("Chronicle Building")]
Supervisor Peskin
Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between RC Chronicle Building LP and 690 Market Master Association, a nonprofit mutual public benefit association, the owners of 690 Market Street ("Chronicle Building"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.
- 11/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
70. 081411 [Opposing location of proposed Presidio Fine Arts Museum]
Supervisor Peskin
Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.
- 11/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
71. 081412 [Appointment - Treasury Oversight Committee, Todd Rydstrom]
Supervisor Peskin
Resolution appointing Todd Rydstrom, term ending June 5, 2009, to the Treasury Oversight Committee, residency requirement waived.
- 11/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
72. 081413 [Taking File #081015 - Mirant Power Plant retrofit - from the Table]
Supervisors Peskin, Maxwell
Motion pursuant to Board of Supervisors Rule 4.31 to remove File #081015 from the table for consideration at the next Board meeting, on Tuesday November 25th.
- 11/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda. _____

73. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 28, 2008 to November 10, 2008, for reference by President to appropriate committee on November 18, 2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 28, 2008 to November 10, 2008, for reference by President to appropriate committee on November 18, 2008.

081414 [Reaffirming and Restating Finding of Fiscal Feasibility for the revised Exploratorium Project at Piers 15/17 and Finding of Lease Exemption from Competitive Bidding Policy; Endorsing Amended and Restated Term Sheet]

Resolution reaffirming and restating the Board of Supervisor's prior findings that the revised Exploratorium Project at Piers 15/17 is fiscally feasible and responsible pursuant to Administrative Code Chapter 29 and is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1, and endorsing the Amended and Restated Term Sheet between the Exploratorium and the San Francisco Port Commission.
(Port)

10/31/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

081415 [Approval of Port Lease for TCHO Ventures, Inc. at Pier 17]
Resolution approving Port Commission Lease No. L-14584 with TCHO Ventures, Inc. ("TCHO") for a five (5) year term for certain real property located at Pier 17 in the City and County of San Francisco.

10/31/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081416 [Approving Seven Technology Store Contracts pursuant to Charter Section 9.118(b)]**
Resolution approving the award of seven contracts for Technology Store purchases pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

11/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081417 [Purchase of Real Property located at 5033 Third Street, San Francisco for the Public Library]**
Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Doug Wong and Pearl Yee Wong, husband and wife, as joint tenants (the "Seller"), for the purchase of real property and improvements located at 5027 — 5033 Third Street, San Francisco, to expand the Bayview/ Anna E Waden Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.
(Real Estate Department)

11/10/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081428 [Petitions and Communications]

Petitions and Communications received from October 28, 2008 through November 10, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 18, 2008.

From Port of San Francisco, submitting FY 2008-09 first quarter report for contracting activity. (1)

From Office of the Controller, submitting revised tax revenue projections for FY 2008-09. Copy: Each Supervisor. (2)

From Recreation and Park Department, submitting report for the first quarter of FY 2008-09 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. (3)

From Mayor Newsom, communicating his decision not to sign the proposed ordinance regarding new controls on small businesses in North Beach Commercial District. File 080696, Copy: Each Supervisor. (4)

From Office of City Administrator, responding to Board of Supervisors Inquiry. (Reference 20080909-014). (5)

From Municipal Transportation Agency, submitting the Tow Refund Reports for second and third quarters of 2008. (6)

From Municipal Transportation Agency, responding to Board of Supervisors Inquiry. (Reference 20081007-003). (7)

From Jeff Porter, suggesting more buses to accommodate riders during peak times. Copy: Each Supervisor. (8)

From Brennan McBride, commenting on noise control ordinance. File 081119, Copy: Each Supervisor. (9)

From Department of the Environment, regarding San Francisco Energy Watch (SFEW) program. (Reference 20081007-001). (10)

From a concern citizen, regarding Proposition H Wind Turbines Installed on PG&E HQ. (11)

From concern citizen, submitting abuse news report #3896, #3892, #3895, #3837, and #3897 by John Jenkel. (12)

From Office of the Treasurer, submitting investment activity for the FY 2008-09 first quarter report of the portfolios under Treasurer's management. (13)

From San Mateo County Transit District, submitting progress report for FY 2008. Copy: Each Supervisor. (14)

From Alameda Creek Alliance, submitting a letter on inadequacy of the Program Environmental Impact Report for the San Francisco Public Utilities Commission's Water System Improvement Program. (15)

From Planning Department, submitting a letter requesting release of reserved funds. (16)

From concerned citizens, commenting on Community Choice Energy. 45 letters. (17)

From Department of Public Health, regarding Immune Enhancement Project. Copy: Each Supervisor. (18)

From Xia Xu, regarding 169-181 Sixth Street at Natoma Street Hospitality House. Copy: Supervisor Daly. (19)

From Capital Planning Committee, submitting recommendations on Authorization of Library Preservation Fund Leave Revenue Bonds, Supplemental Appropriation of Lease Revenue Bonds for Branch Library Improvement Program, and Supplemental Appropriation of Proposition 1B Funding for the Department of Public Works' Street Resurfacing Program. Copy: Each Supervisor. (20)

From Seachiff Properties Association, submitting a letter regarding Lincoln Park Golf Course. (21)

From Christine Harris, commenting on safety and security issues. (22)

From Aaron Goodman, submitting comments regarding Case No. 2007.1275E San Francisco 2004 Housing Element. Copy: Each Supervisor. (23)

From Office of the Controller, informing the Mayor and Board of Supervisors that the Controller's Office is revising its revenue estimates for the current fiscal year given the economic slowdown. (24)

From Lloyd Schloegel, submitting information regarding alleged voter fraud in San Francisco. (25)

From the Arts Commission, submitting report for the first quarter of FY 2008-09 with the explanation for the Arts Commission expenditures. (26)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B to purchase LRV parts from Transtech. (27)

From Department of Elections, regarding Civic Center parking changes for the November 4, 2008 Consolidated General Election. (28)

From Biodiesel Access Task Force, submitting report of activities at the Biodiesel Access Task Force. (29)

From Civil Service Commission, submitting amendments to the Civil Service Commission Rules applicable to Service-Critical Classes of the Municipal Transportation Agency Rule 403.3 Discrimination Complaints. (30)

From Department of Public Health, submitting request for waiver of Administrative Code Chapters 12B and 14B to renew the laundry services contract with Metro Park Laundry for 2 additional years or until the laundry facility at Laguna Honda Hospital becomes operational. (31)

From Office of the City Attorney, regarding timeliness of an appeal filed for an Ice Rink Permit at Union Square. (32)

From Branch Library Improvement Program, submitting the Branch Library Improvement Program's 2000 Improvement Bond Quarterly Report for the 3rd Quarter of 2008. (33)

From State Commission of Fish and Game, submitting proposed emergency regulatory action relating to incidental take of longfin smelt. (34)

From Airport Commission, submitting compliance audit of MN Airlines, LLC dba Sun Country Airlines. (35)

From Hanson Bridgett, submitting request for notice of appeal from Planning Commission Certification of PEIR on Water System Improvement Program. Copy: Joy (36)

From United Brotherhood of Carpenters and Joiners of America, regarding potential problems with the proposed fee waiver for hiring local residents from disadvantaged neighborhoods. Copy: Land Use Committee (37)

From Mayor Gavin Newsom, submitting notice that he will be out of state from November 9, 2008 and returning on November 13, 2008. Copy: Each Supervisor, City Attorney, 3 Deputy Directors (38)

From Tenants 769 North Point, regarding construction project at 2650-52 Hyde Street. (39)

From Charles Lemmon, submitting support for full funding and support for a LAFCO approved Community. (40)

From Mark Dean, regarding message from Muni to vote yes on Proposition 8. Copy: Each Supervisor (41)

From Bernard Choden, regarding the Environmental Impact Report for the 2004 Housing Element. Copy: Each Supervisor (42)

From Greg Griffin, regarding the summons he received from Department of Public Health that he could no longer provide massage services at his place of business. (43)

From Cherry Elliot, commenting that the bus shelters in San Francisco are filthy. (44)

From Neil Signo, proposing that anyone caught drinking alcohol under the age of 22 be removed and erased from the University System while being a student.

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 25, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 28, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14**Recommendations of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. **081270** **[Accept and Expend Public Safety Interoperable Communications Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$14,941,976.82]**
Supervisor Alioto-Pier
Ordinance authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Public Safety Interoperable Communications grant in the amount of \$14,941,976.82 from the United States Department of Commerce and to provide \$451,122 as San Francisco's portion of required matching funds; and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions (.58 FTE - 0941 Manager VI and .58 FTE - 0931 Manager III) in the Department of Emergency Management.
(Fiscal Impact.)

11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- Present: Supervisors McGoldrick, Mirkarimi*
2. **081343** **[Appropriating \$34,755,000 of bond sale proceeds and Library Preservation Fund balance for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009]**
Mayor
Ordinance appropriating \$34,755,000 of bond sale proceeds, unappropriated fund balance and unappropriated general reserve for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009. Place on Controller's Reserve \$33,955,000 of the bond sale proceeds pending sale of the bond.
(Fiscal Impact.)

11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. **081344** **[Appropriating \$13,222,746 of State Proposition 1B Revenue for Street Resurfacing Projects in the Department of Public Works for Fiscal Year 2008-2009]**
Mayor, Supervisor Elsbernd
Ordinance appropriating \$13,222,746 of FY 2008-09 State Proposition 1B Local Streets and Roads Improvement funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the funds to implement road maintenance and resurfacing projects at various locations.
(Fiscal Impact.)

11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

4. 081345 [Lease Financing for Library Projects]**Mayor**

Ordinance approving the issuance and sale of lease revenue bonds to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the lease revenue bonds; directing the publication of the Notice of Intention to Sell the lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue bonds; approving the form of an Official Statement in preliminary and final form and directing the Controller to return to the Board at a later date with a revised official statement; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue bonds; approving modifications to documents; adopting findings under the California Environmental Quality Act ("CEQA") and findings pursuant to City Planning Code Section 101.1 and City Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

5. 081082 [Requiring Activation of Closed Captions During Video Events]**Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by amending Sections 4401 and 4402 to require the activation of closed captioning during video events in a park, open space, zoo, or other outdoor recreation area.

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 081340 [Amending Administrative, Police, Public Works, Business & Tax and Transportation Codes, to conform to the 11/06/2007 Proposition on Transit Reform, Parking Enforcement and Emissions Reduction]
Supervisor Peskin
Ordinance amending San Francisco Administrative Code Sections 2A.81, 5.20, 5.130-5.132, Chapter 17, and repealing Administrative Code Sections 2A.180 and 10.150-10.151; amending San Francisco Police Code Sections 386, 835-839, 939, 1054, 1076, 1175-1180, 3057, 3910, adding Police Code Sections 835.1-835.2, 939.1-939.6, 975.1-975.5, and repealing Police Code Sections 710.2, 1166, 1170-1171, and Article 16, Division IX; amending San Francisco Public Works Code Sections 2.4.3 and 724.4, and repealing Section 701; repealing San Francisco Business & Tax Code Sections 1.11-1.14 and 129.2-129.5; repealing and re-enacting San Francisco Transportation Code Division 1, to conform those sections to the 11/06/2007 Proposition on Transit Reform, Parking Regulation, and Emissions Reduction.

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Sandoval, Peskin

7. 081058 [Planning - Conditional Use Requirement for Power Plants in M-1 and M-2 Zoning Districts]
Supervisors Maxwell, Peskin
Ordinance amending Planning Code Section 226 to require that power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter 29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

11/4/2008, RE-REFERRED to Land Use and Economic Development Committee.

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 081247 [Zoning - Conditional use authorization for new development in the Bernal South Slope Area]
Supervisor Ammiano
Ordinance amending Planning Code Section 242 to require conditional use authorization for new development in the Bernal South Slope Area, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 081335 [Summary Vacation of Public Utility Easements at the intersection of Crescent Way and Executive Park Boulevard]
Supervisor Maxwell
Ordinance ordering the summary vacation of unused and unnecessary public utility easements located at the intersection of Crescent Way and Executive Park Boulevard in San Francisco (within Assessor's Block 4991); making findings pursuant to the California Streets and Highways Code Sections 8330 et seq., adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated public utility easements to Top Vision Development, L.L.C.; and authorizing other actions in furtherance of this Ordinance.

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the Rules Committee

Present: Supervisors Daly, Ammiano

10. 081157 [Appointment, Children's Collaborative Task Force - Adina Safer, Natasha Hoehn, Rebecca Kroll, Steven E. Mitchel, Laurie Poston, Judy McKie, Cammy Blackstone and Matt Middlebrook]
Motion appointing Adina Safer, Natasha Hoehn, Rebecca Kroll, Steven E. Mitchel, Laurie Poston, Judy McKie, Cammy Blackstone and Matt Middlebrook, terms to be determined at first meeting, to the Children's Collaborative Task Force.
- Question: Shall this Motion be **APPROVED**?
- Present: Supervisors Daly, Duffy*
11. 081307 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee - Ian Kim and Conny Ford]
Motion appointing Ian Kim and Conny Ford, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee.
- Question: Shall this Motion be **APPROVED**?
12. 081319 [Appointment, Commission on the Aging Advisory Council - Gracia Wiarda]
Motion appointing Gracia Wiarda, term ending March 31, 2010, to the Commission on the Aging Advisory Council.
- Question: Shall this Motion be **APPROVED**?
- Present: Supervisors Daly, Duffy, Ammiano*
13. 081156 [Appointment, Immigrant Rights Commission - Vera Haile, Gilberto Alexander and Rael Silva]
Motion appointing Vera Haile and Gilberto Alexander, terms ending June 6, 2010 and Rael Silva, term ending June 6, 2009, to the Immigrant Rights Commission.
- Question: Shall this Motion be **APPROVED**?

14. 081364 [Appointments, Urban Forestry Council - Maria D'Agostino, Naomi LeBeau, Bonnie Ora SherK and Carolyn Blair]
Motion appointing Maria D'Agostino, Naomi LeBeau, Bonnie Ora SherK and Carolyn Blair, terms ending November 18, 2010, to the Urban Forestry Council.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

15. 081086 [Public Works Code - annual right-of-way occupancy assessment fee for driveways]
Supervisor McGoldrick
Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires or required modification to the public right-of-way; and making environmental findings.
- 8/12/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.
- 10/21/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 10/21/2008, CONTINUED AS AMENDED. Continued as amended to November 18, 2008.
- 11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor McGoldrick requested to be added as sponsor.
- 11/18/2008, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, McGoldrick, Elsbernd

16. 080658 [General advertising on City buildings and street furniture]
Supervisor McGoldrick
Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.
- 9/16/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.
- 11/4/2008, CONTINUED. Continued to November 18, 2008
- 11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 11/18/2008, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

17. 061438 [Public Works Code - Sidewalk flower-vending stands]

Supervisor McGoldrick

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

11/4/2008, CONTINUED. Continued to November 18, 2008

11/18/2008, CONTINUED ON FIRST READING. Continued to November 25, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

18. 080934 [Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments]

Supervisor Ammiano

Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission.

(Economic Impact.)

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 081002 [Zoning - Violations of General Advertising Sign Requirements]**Supervisors Alioto-Pier, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 610 to require response to a notice of violation to be given within 30 days instead of 45 days and to add subsection (f), which addresses repeat violations of general advertising sign requirements by a single entity on the same property; adopting findings, including environmental findings and findings required by Section 302 and Section 101.1 of the Planning Code.

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 081235 [Subdivision Code - notice and appeal procedures, DBI review fee]**Supervisor Peskin**

Ordinance amending the Subdivision Code Section 1313 to modify noticing procedures for subdivision applications and delete the Department of Public Works appeal hearing on engineering and surveying matters; amending Section 1314 concerning appellants so that it conforms with the California Subdivision Map Act; amending Section 1359 to conform with the abovementioned amendments; amending Section 1315 to include a processing fee for all subdivisions that the Department of Building Inspection reviews; and making environmental findings.

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.
(Planning Department)

11/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

22. 081153 [Planning Code Amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The following Sections were severed from File Nos. 081153 Sec. 175.9, Sec. 327.6 (i) Sec. 329 and Sec. 263.22.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

23. 081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating five special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Street to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; for Mission Street Landmark Special Height District and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

11/18/2008, CONTINUED ON FIRST READING. Continued to November 25, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 081155 [Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings. (Planning Department)

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/18/2008, PASSED ON FIRST READING AS AMENDED. The following section was severed from File Nos. 081155 Section 10E. 7.

Question: Shall this Ordinance be FINALLY PASSED?

25. 081333 [Zoning - SoMa Youth and Family Special Use Districts]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
26. 081334 [Zoning - Potrero Center Mixed-Use Special Use District]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
27. 081339 [Zoning - Publicly-owned properties in the Eastern Neighborhoods]
Supervisor Peskin
Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Board

28. 081469 [Eastern Neighborhoods Area Plans - duration of authorizations]
Ordinance amending the San Francisco Planning Code by adding section 175.9 concerning the duration and expiration of various Planning Code authorizations in the Eastern Neighborhoods Area Plans; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

29. 081471 [Eastern Neighborhoods - conditional use requirement tied to capital expenditures finding]
Ordinance amending the San Francisco Planning Code by adding Section 327.6(i) to establish a conditional use requirement that is tied to Board of Supervisors findings on the Eastern Neighborhoods Capital Expenditure Evaluation as set forth in Administrative Code Section 10E.7; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
30. 081472 [Eastern Neighborhoods Area Plans - large project authorization in Mixed Use Districts]
Ordinance amending the San Francisco Planning Code by adding Section 329 to establish large project authorization in Eastern Neighborhoods Mixed Use Districts; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
31. 081473 [Eastern Neighborhoods Area Plans - Capital Expenditure Evaluation]
Ordinance amending the Administrative Code by adding section 10E.7 to establish the Eastern Neighborhoods Capital Expenditure Evaluation and making environmental findings.
- 11/18/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Reactivated Pursuant to Board of Supervisors Rule 4.31

32. 081015 [Mirant Potrero Power Plant retrofit]
Mayor
Resolution authorizing and directing the negotiation and execution of a memorandum of agreement relating to the retrofit of Potrero Power Plant Units 4, 5 and 6, the closure of all Potrero Power Plant generating units if and when such units are no longer needed for electric system reliability, and the reuse of the Potrero power Plant site upon such closure.
- 11/4/2008, TABLED.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present Supervisors Daly, Duffy

33. 081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]
Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.
- 11/4/2008, CONTINUED. Continued to November 18, 2008
11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
11/18/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be **FINALLY PASSED**?
34. 081285 [Lobbyist Ordinance amendments to regulate permit lobbying]
Supervisors Peskin, Daly
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.
- 11/4/2008, PASSED ON FIRST READING.
11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
11/18/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be **FINALLY PASSED**?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

35. 081328 [Recreation and Park Department - Marina Small Craft Harbor Fees]
Supervisor Alioto-Pier

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 081346 [Approving Contract for Security Services - \$19,326,260]

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$19,326,260 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 081329 [Recreation and Park Department - Marina Small Craft Harbor Loan]
Supervisor Alioto-Pier

Resolution accepting a loan (the "Loan") from the State of California acting through its Department of Boating and Waterways (the "State") and approving the form of a loan agreement by and between the City and County of San Francisco (the "City") and the State (the "Loan Agreement"); granting general authority to City officials to take certain actions in connection with the Loan and the Loan Agreement; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

38. 081370 [Lease of Real Property - 1325A Evans Avenue]

Resolution authorizing a new lease of approximately 3,287 rentable square feet of space at 1325A Evans Avenue for the San Francisco Public Utilities Commission.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present Supervisors Daly, Duffy

33. 081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]
Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.

11/4/2008, CONTINUED. Continued to November 18, 2008

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

34. 081285 [Lobbyist Ordinance amendments to regulate permit lobbying]
Supervisors Peskin, Daly
Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

11/4/2008, PASSED ON FIRST READING.

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

35. 081328 [Recreation and Park Department - Marina Small Craft Harbor Fees]
Supervisor Alioto-Pier
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 081346 [Approving Contract for Security Services - \$19,326,260]
Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$19,326,260 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice.
(Human Services Department)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 081329 [Recreation and Park Department - Marina Small Craft Harbor Loan]
Supervisor Alioto-Pier
Resolution accepting a loan (the "Loan") from the State of California acting through its Department of Boating and Waterways (the "State") and approving the form of a loan agreement by and between the City and County of San Francisco (the "City") and the State (the "Loan Agreement"); granting general authority to City officials to take certain actions in connection with the Loan and the Loan Agreement; adopting findings under the California Environmental Quality Act, ("CEQA"). CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

38. 081370 [Lease of Real Property - 1325A Evans Avenue]
Resolution authorizing a new lease of approximately 3,287 rentable square feet of space at 1325A Evans Avenue for the San Francisco Public Utilities Commission.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Mirkarimi

39. 081283 [Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]
Supervisor Mirkarimi
Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

40. 080846 [Limit on non-profit executive director salaries funded by City grants or contracts]
Supervisor McGoldrick
Ordinance limiting the use of City funds for non-profit executive director salaries.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

41. 080379 [Regulating the conditions for purchasing prior public service credit through the Retirement System]
Supervisor Elsbernd
Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 and 16.61-5 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, to allow the Retirement System to accept rollovers to pay for public service purchases, and to conform to changes in the applicable law and Retirement System practices.

10/21/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano, Maxwell

42. 081286 [Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure]
Supervisor Peskin
Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]
Supervisor Peskin
Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

44. 081397 [Urging the Municipal Transportation Agency and the Department of Public Health to collaborate and create health protective truck route planning in Southeast Neighborhoods]
Supervisors Ammiano, Maxwell
Resolution urging the Municipal Transportation Agency and the Department of Public Health to collaborate and create health protective truck route planning in Southeast Neighborhoods. Encouraging cooperation between DPH and SFMTA and the local community in identifying and correcting health and safety related issues associated with truck traffic. Urging DPH to create a truck related exposure map identifying areas of significant exposure to air quality, noise and traffic hazards. Urging SFMTA to create a mitigation plan to address the impacts of local truck traffic on residential communities of southeast San Francisco that protects community health and provides efficient routes for commercial vehicle traffic.

Question: Shall this Resolution be ADOPTED?

45. 081399 [Endorsing a Finance Plan for the Redevelopment of Candlestick Point and the Hunters Point Shipyard]
Supervisor Maxwell
Resolution endorsing a Finance Plan for a proposed mixed-use development on Candlestick Point and Hunters Point Shipyard.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Daly, Ammiano

46. 081258 [Confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency]
Mayor -
Motion confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, November 24, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 25, 2008.

47. 081232 [Zoning - Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts]
Supervisor McGoldrick
Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

49. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 50 - 56

50. 081411 [Opposing location of proposed Presidio Fine Arts Museum]
Supervisor Peskin
Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.
- 11/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
11/18/2008, CONTINUED. Continued to November 25, 2008
Question: Shall this Resolution be ADOPTED?
51. 081456 [Commending Historic International Labor Partnership]
Supervisor Peskin
Resolution applauding the historic new partnership between the San Francisco Labor Council and the Guangzhou Federation of Trade Unions.
- 11/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
52. 081457 [California Street Steps Tiling Project]
Supervisor McGoldrick
Resolution supporting the gift of funds, once fundraising is completed, for the installation of artistic tile on the California Street Stairs to be maintained jointly by the San Francisco Arts Commission and the Department of Parks and Recreation.
- 11/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

53. 081458 [Municipal Transportation Agency Board of Directors-Advertising Policy]
Supervisor McGoldrick
Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors not to renew any advertising contracts that permit window-covering advertisements on SFMTA passenger vehicles.

11/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?
54. 081459 [Congratulating Tim Lincecum on winning the 2008 National League Cy Young Award]
Supervisor Duffy
Congratulating Tim Lincecum on winning the 2008 National League Cy Young Award.

11/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?
55. 081460 [Proposed Contemporary Art Museum]
Supervisor Alioto-Pier
Resolution supporting the location of the proposed Contemporary Art Museum in the City and County of San Francisco.

11/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?
56. 081461 [Senior Citizens' Property and Renters' Tax Assistance Program]
Supervisor Daly
Resolution urging Governor Arnold Schwarzenegger to restore the entire \$190.9 Million appropriation for the Senior Citizens' Property and Renters' Tax Assistance Program in the 2008 California State Budget.

11/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

57. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 10, 2008 to November 17, 2008, for reference by President to appropriate committee on November 25, 2008.

- 081477 [Settlement of Lawsuit - Laurent Katgely, et al. v. CCSF, et al. (C. Spencer) - \$67,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Chez Spencer, a partnership, against the City and County of San Francisco for \$67,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436942; entitled Laurent Katgely, et al. v. City and County of San Francisco, et al.
(City Attorney)

11/17/2008, RECEIVED AND ASSIGNED to Rules Committee.

- 081478 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (IMG Home) - \$500,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by IMG Home Corporation against the City and County of San Francisco for \$500,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

11/17/2008, RECEIVED AND ASSIGNED to Rules Committee.

- 081479 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (N. Quimson) - \$45,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Noreen Quimson against the City and County of San Francisco for \$45,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

11/17/2008, RECEIVED AND ASSIGNED to Rules Committee.

081480 [Settlement of Claim - SFD Union Square, LLC - \$40,000]

Resolution Approving the settlement of unlitigated claim of SFD Union Square, LLC dba Sir Francis Drake Hotel against San Francisco for \$40,000; claim was filed on August 25, 2008.
(City Attorney)

11/17/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 10, 2008 to November 17, 2008, for reference by President to appropriate committee on November 25, 2008.

081379 [Accept gift to the Fire Department - \$15,938]

Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of mask fit equipment and non-permeable emergency medical bags valued at \$15,938.
(Fire Department)

10/30/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081388 [Emergency contract to replace the stator core in Kirkwood Powerhouse generator number 1, designated "KPH1"]

Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60 to replace the stator core in the Kirkwood Powerhouse generator number 1, designated "KPH1."
(Public Utilities Commission)

11/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081419 [Amendment to a Contract to Extend the Term for More than Ten Years]

Resolution authorizing the Department of Technology to enter into the Seventh Amendment of an agreement with Stratus Technologies, Inc., to extend the term of the agreement to fourteen years.
(Department of Technology)

11/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081454 [Approving Central Subway Partnership Contract]

Resolution approving Municipal Transportation Agency Contract No. CS-149, Program Management and Construction Management Services for the Central Subway Project with Central Subway Partnership, A Joint Venture of AECOM USA, Inc. and EPC Consultants in an amount not to exceed \$147,375,171 for a term not to exceed five years with an option to extend the term an additional five years.
(Municipal Transportation Agency)

11/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081476 [Petitions and Communications]

Petitions and Communications received from November 11, 2008 through November 17, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 25, 2008.

From Office of Economic Analysis, submitting report regarding "Air Quality Assessment and Ventilation in Certain Urban Infill Residential Developments" in San Francisco. File 080934 (1)

From Office of the Mayor, submitting appointment of Juliet Ellis as a member of the Public Utilities Commission, effective November 14, 2008 to fill seat 2, term expires on August 1, 2010. Copy: Clerk of the Board, Committee Clerk (2)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests from Lena Gomes, Legislative Aide to Supervisor Daly and Rebekah Krell, Legislative Aide to Supervisor Elsbernd (3)

From concerned citizens, submitting support for proposed development of a grocery store/housing project at 690 Stanyan Street. File 081365, 7 letters (4)

From concerned citizens, submitting opposition to removing the middle income-housing alternative in the Mission District. File 081332, 22 letters (5)

From Aaron Goodman, regarding the need for an adequate balance in San Francisco housing plans. (6)

From concerned citizens, submitting opposition to the Presidio's plan to build a large contemporary art museum and hotel in the Presidio. 2 letters (7)

From Barbary Coast Neighborhood Association, submitting opposition to the proposed rezoning of a single site on the west side of The Embarcadero from an 84-X Height and Bulk District to a 130-X Height and Bulk District to accommodate the proposed new building. File 081418 Copy: Clerk, Board of Supervisors (8)

From Planning Department, submitting notice of preparation of an Environmental Impact Report for the Crystal Springs Pipeline No. 2. (9)

From Lee Mentley, commenting on the Holocaust Memorial being vandalized again and urging the Mayor/Board of Supervisors to put the Holocaust Memorial under 24-hour camera surveillance so that the vandals can be caught. (10)

From Thomas Fulton, submitting support for repealing Prop 8 and restoring marriage equality in California. (11)

From Patrick Missud, regarding the fatal and non-fatal, car collisions and pedestrian accidents at the intersection of Almany and San Juan Avenue. (12)

From Jeannette Hassberg, commenting that the amendment to the Noise Ordinance will, by prohibiting the use of bullhorns within certain areas, infringe on the free speech of legally assembled citizen protests. (13)

From Gil Seaboarn, regarding increased traffic noise on 19th Avenue. (14)

From Wim van Rij, commenting on rebuilding the facilities on Alcatraz. (15)

From Emile Lawrence, commenting on a story in the SF Chronicle regarding unemployed veterans in San Francisco. (16)

From Colantuono & Levin, submitting newsletter regarding public law, for fall 2008. (17)

From Greg Gabby, submitting list of events at the San Mateo Arboretum Society. (18)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, December 9, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Persons are permitted to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

1. 081328 [Recreation and Park Department - Marina Small Craft Harbor Fees]
Supervisor Alioto-Pier
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations.

11/25/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
2. 081346 [Approving Contract for Security Services - \$19,326,260]
Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$19,326,260 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice.
(Human Services Department)
(Fiscal Impact.)

11/25/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

3. 081219 [Gift - Department of Public Health, Community Behavioral Health Services - \$800,000]
Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with a monetary value of up to \$800,000 for the period of October 1, 2008 through September 30, 2009 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

4. 080379 [Regulating the conditions for purchasing prior public service credit through the Retirement System]
Supervisor Elsbernd
Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 and 16.61-5 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, to allow the Retirement System to accept rollovers to pay for public service purchases, and to conform to changes in the applicable law and Retirement System practices.

10/21/2008, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

11/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 081286 [Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure]
Supervisor Peskin
Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

11/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]
Supervisor Peskin
Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

11/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated. _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Mirkarimi

7. **081283** [Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]

Supervisor Mirkarimi

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

11/25/2008, CONTINUED ON FIRST READING. Continued to December 9, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi

8. **080846** [Limit on non-profit executive director salaries funded by City grants or contracts]
Supervisors McGoldrick, Daly

Ordinance limiting the use of City funds for non-profit executive director salaries.

11/25/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Daly requested to be added as a co-sponsor.

11/25/2008, PASSED ON FIRST READING.

11/25/2008, PREVIOUS VOTE RESCINDED.

11/25/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/25/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

9. 061438 **[Public Works Code - Sidewalk flower-vending stands]**

Supervisor McGoldrick

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

11/4/2008, CONTINUED. Continued to November 18, 2008

11/18/2008, CONTINUED ON FIRST READING. Continued to November 25, 2008

11/25/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/25/2008, PASSED ON FIRST READING AS AMENDED.

11/25/2008, PREVIOUS VOTE RESCINDED.

11/25/2008, CONTINUED ON FIRST READING. Continued to December 9, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

10. 081232 **[Zoning - Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts]**

Supervisor McGoldrick

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/25/2008, PASSED ON FIRST READING.

11/25/2008, PREVIOUS VOTE RESCINDED.

11/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Sandoval, Peskin

11. 081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]
Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.
(Planning Department)

11/18/2008, PASSED ON FIRST READING.

11/25/2008, CONTINUED ON FINAL PASSAGE. Continued to December 9, 2008.

Question: Shall this Ordinance be FINALLY PASSED?

12. 081153 [Planning Code Amendments for the Eastern Neighborhoods Area Plans]
Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The following Sections were severed from File Nos. 081153 Sec. 175.9, Sec. 327.6 (i) Sec. 329 and Sec. 263.22.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

11/25/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/25/2008, COMBINED WITH EXISTING FILE.

11/25/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

13. 081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]
Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, IT01, IT07, IT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three four five four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Streets to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Planning Department)

11/18/2008, CONTINUED ON FIRST READING. Continued to November 25, 2008

11/25/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/25/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/25/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

14. 081155 [Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]
Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings.
(Planning Department)

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

11/25/2008, COMBINED WITH EXISTING FILE. Combined with File No. 081473.

11/25/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

15. 081333 [Zoning - SoMa Youth and Family Special Use Districts]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).
(Economic Impact.)

11/18/2008, PASSED ON FIRST READING.

11/25/2008, CONTINUED ON FINAL PASSAGE. Continued to December 9, 2008.

Question: Shall this Ordinance be FINALLY PASSED?

16. 081334 [Zoning - Potrero Center Mixed-Use Special Use District]
Supervisor Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

11/18/2008, PASSED ON FIRST READING.

11/25/2008, CONTINUED ON FINAL PASSAGE. Continued to December 9, 2008.

Question: Shall this Ordinance be FINALLY PASSED?

17. 081339 [Zoning - Publicly-owned properties in the Eastern Neighborhoods]
Supervisor Peskin
Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

11/18/2008, PASSED ON FIRST READING.

11/25/2008, CONTINUED ON FINAL PASSAGE. Continued to December 9, 2008.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi

18. 081440 [De-Appropriating \$998,145 of General Fund and \$761,021 of Federal Direct Grant Revenue for the Community Justice Center for FY 2008-2009]
Supervisors Daly, McGoldrick
Ordinance de-appropriating \$998,145 of General Fund in the Mayor's Office of Community Justice and \$761,021 of Federal Direct Grant Revenue in the Department of Public Health for the Community Justice Center in Fiscal Year 2008-2009.
(Fiscal Impact.)
(Supervisor Elsbernd dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 081449 [Changes to the Payroll Expense Tax exclusion for clean energy technology businesses]
Supervisor McGoldrick
Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include carbon trading, solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees.
(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 081453 [Appropriating \$1,923,629,194 of Water Revenue Bond proceeds for the Water System Improvement Program in the Public Utilities Commission for Fiscal Year 2008-2009]
Mayor
Ordinance appropriating \$1,923,629,194 of San Francisco Water Revenue Bond authorized in 2002 to fund construction and financing costs for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for Fiscal Year 2008-2009, placing the entire appropriation by project on Controller's reserve subject to SFPUC and Board of Supervisors' discretionary approvals following completion of project-related analysis pursuant to California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, adopting environmental findings, placing on Budget and Finance Committee reserve any project in excess of \$100,000,000 and authorizing the increase of the Water Commercial Paper Program from \$250,000,000 to \$500,000,000 to facilitate projected WSIP financing needs.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 081499 [Accept and Expend FY 08 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$29,724,000]
Supervisor Alioto-Pier
Ordinance authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$29,724,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions in the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 081500 [Obtain, Accept and Expend Federal Interoperable Emergency Communications Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$1,374,422]
Supervisor Alioto-Pier
Ordinance authorizing the Department of Emergency Management (DEM), as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to obtain, accept and expend an Interoperable Emergency Communications Program Grant (IECGP) award in the amount of \$1,374,422 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for the period October 6, 2008 to May 31, 2010, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one grant-funded position (0.50 FTE - 0931 Manager III) in the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 080946 [Airport Concession Lease]
Resolution approving the Lease Agreements for the Rental Car Center Operations between The Hertz Corporation; Avis Budget Car Rental, LLC; EAN, LLC; DTG Operations, Inc.; and Fox Rent a Car, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

24. 081359 [Increasing the Golden Gate Petroleum contract dollar from less than \$10 million to less than \$20 million]
Resolution approving the Second Amendment to the Agreement between the City and Golden Gate Petroleum as a supplier of gasoline and diesel fuel, increasing the contract's dollar amount from less than \$10 million to \$20 million, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

25. 081361 [Raising the contract's not-to-exceed amount, between the CCSF and Firestone-Bridgestone for rental bus tires, to an amount not to exceed \$11,010,000]
Resolution approving the Fourth Amendment to the Agreement between the City and County of San Francisco (City) and Firestone-Bridgestone (Contractor) for rental of bus tires, increasing the contract's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact) -

Question: Shall this Resolution be ADOPTED?

26. 081371 [Amendment to Lease of Real Property at 3119 Mission Street]
Resolution authorizing the Amendment to Lease at 3119 Mission Street for the Human Services Agency.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

27. 081373 [Agreement for the Reimbursement for Interim Assistance Payments Pursuant to Section 1631(g) of the Social Security Act]
Resolution authorizing the renewal of Resolution 791-89 between the City and County of San Francisco and the State of California Department of Social Services for the purpose of assuring the availability of reimbursement to the City and County by the Secretary of Health and Human Services for the interim assistance paid to Social Security Income Program (SSI)/ State Supplementary Payment (SSP) Applicants.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Mirkarimi

28. 081416 [Approving Seven Technology Store Contracts pursuant to Charter Section 9.118(b)]
Supervisor Duffy
Resolution approving the award of seven contracts for Technology Store purchases pursuant to San Francisco Charter Section 9.118(b).
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

29. 081009 [Prohibiting smoking in taxicabs and motor vehicles for hire and free distribution of tobacco products and accessories in places open to the public]
Supervisor Maxwell
Ordinance amending the San Francisco Health Code by amending Section 1009.22 and amending the San Francisco Police Code by amending Section 1143 and repealing Sections 53, 53.1, and 1098, to prohibit smoking in taxicabs and other motor vehicles for hire, and amending San Francisco Police Code Section 95, to prohibit the free distribution of tobacco products and accessories in places open to the public.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 081250 [Massage practitioner requirements]
Supervisor Dufty
Ordinance amending Section 1902 of the San Francisco Health Code by changing the requirement that massage practitioners obtain a certificate of graduation to a certificate of completion verifying at least 100 hours of massage instruction.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, McGoldrick

31. 081405 [2008 Hazard Mitigation Plan]
Mayor, Supervisor Alioto-Pier
Resolution adopting the 2008 City and County of San Francisco Hazard Mitigation Plan.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

32. 081202 [Interim Zoning Requiring Conditional Use Authorization for Change in Use or Reduction of 15,000 square feet or more of Recreational Space]

Supervisor Daly

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

33. 081446 [Eastern Neighborhoods MOU]

Supervisor Maxwell

Resolution approving a Memorandum of Understanding between City departments relating to the planning of various capital projects in the Eastern Neighborhoods Plan Area, subject to the approval of the affected City departments and commissions; establishing an Eastern Neighborhoods Infrastructure Finance Working Group; and making findings under the California Environmental Quality Act.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Peskin

34. 081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, McGoldrick

35. 081088 [Requirement of Conditional Use Authorization for any permit application to remove dwelling units]

Supervisor McGoldrick

Ordinance amending the Planning Code by amending Section 317 to require Conditional Use Authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

36. 081463 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1335 Stanyan Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 14, 2008, disapproving a Minor Sidewalk Encroachment Permit No. 07MSE-0012 to construct and maintain an "L" shaped partition fence encroaching 12" into the unimproved right-of-way of Stanyan Street to hide garbage and recycling cans from view on Clarendon Avenue. (Appellant: Pennie Sempell)
(Filed November 24, 2008; companion measure to Files 081464, 081465; District 7.)

Action: _____

(Only one of the following two motions should be approved.)

37. 081464 [Minor Sidewalk Encroachment Permit Appeal - 1335 Stanyan Street]
Motion disapproving the decision of the Department of Public Works' denial of an encroachment permit for 1335 Stanyan Street and granting an encroachment permit.

Question: Shall this Motion be APPROVED?
38. 081465 [Minor Sidewalk Encroachment Permit Appeal - 1335 Stanyan Street]
Motion affirming the Director of Public Works' denial of an encroachment permit for 1335 Stanyan Street and denying an encroachment permit.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

39. 081420 [Public Hearing - Conditional Use Appeal for 299 Valencia Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17739 dated November 6, 2008, relating to the approval of a Conditional Use Authorization (Case No. 2006.0432CV), under Planning Code Sections 121.1, 151.1 and 303 to allow a large-lot mixed-use development providing up to 25 off-street residential parking spaces and 2 car share spaces in an NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) Zoning District and a 50-X Height and Bulk District on property located at 299 Valencia Street, Lot 014 in Assessor's Block No. 3532. (Filed by Jason Henderson on behalf of the Hayes Valley Neighborhood Association and subscribed by Supervisors Peskin, Ammiano, Maxwell, Daly and Mirkarimi)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**40. 081421 [Approving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]**

Motion approving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

41. 081422 [Disapproving Planning Commission decision related to Conditional Use Appeal for 299 Valencia Street]
Motion disapproving decision of the Planning Commission by its Motion No. 17739, approving Conditional Use Application 2006.0432CV on property located at 299 Valencia Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
42. 081423 [Preparation of findings related to the Conditional Use Appeal for 299 Valencia Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.0432CV on property located at 299 Valencia Street, for action by the Board at its next meeting.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, December 4, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 9, 2008.

43. 081230 [Medical Cannabis Dispensary Permits]
Supervisor Daly
Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries.

Question: Shall this Ordinance be PASSED ON FIRST READING?

(Only one of the following two motions should be approved.)

44. 081424 [Appointment, Public Utilities Commission - Juliet Ellis]
Motion confirming the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.
(Mayor)
- Question: Shall this Motion be APPROVED?
45. 081425 [Appointment, Public Utilities Commission - Juliet Ellis]
Motion rejecting the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.
(Mayor)
- Question: Shall this Motion be APPROVED?

46. 081308 [Confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors]
Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors for a four-year term ending September 11, 2010.
(Mayor)

Question: Shall this Motion be APPROVED?

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, December 8, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 9, 2008.

47. 081444 [Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]
Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 081443 [Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund]
Supervisors Maxwell, Alioto-Pier, Daly, Dufty, Sandoval, Elsbernd, Mirkarimi, Peskin
Ordinance amending the San Francisco Bonding and Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 081450 [Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and Transfer Tax Review Board]
Supervisor Peskin
Ordinance amending Sections 1106, 1108, 1108.4, 1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 081451 [Property Tax Refund Claim Processing]
Supervisor Peskin
Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 081452 [Requiring tow car firms to display brochures issued by the Police Department in three languages]
Supervisor Peskin
Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" brochure in order to provide the public with information about their rights when towed from private property.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
52. 081414 [Reaffirming and Restating Finding of Fiscal Feasibility for the revised Exploratorium Project at Piers 15/17 and Finding of Lease Exemption from Competitive Bidding Policy; Endorsing Amended and Restated Term Sheet]
Resolution reaffirming and restating the Board of Supervisor's prior findings that the revised Exploratorium Project at Piers 15/17 is fiscally feasible and responsible pursuant to Administrative Code Chapter 29 and is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1, and endorsing the Amended and Restated Term Sheet between the Exploratorium and the San Francisco Port Commission.
(Port)
- Question: Shall this Resolution be ADOPTED?
53. 081447 [Accept-Expend State Grant - Southeast Community Response Network - \$402,457]
Supervisor Maxwell
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$402,457 through the United States Department of Justice, for a program entitled "Southeast Community Response Network" for fiscal year July 2006 through June 2010.
- Question: Shall this Resolution be ADOPTED?
54. 081448 [Juvenile Probation and Camp Funding Grant Program]
Supervisor Maxwell
Resolution authorizing the Juvenile Probation Department to participate in the State of California's Juvenile Probation and Camp Funding Program, to receive funds for direct services to eligible children and their families.
- Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, December 8, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 9, 2008.

55. 080520 [Below Market Rate Condominium Conversion Program]

Mayor, Supervisor McGoldrick

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA).

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. 081100 [Zoning - Providing for a five feet special height exception for active ground floor uses in Neighborhood Commercial Districts]

Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/7/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. 081513 [Limited Equity Housing Cooperative Conversions]

Supervisor Peskin

Ordinance approving a method for Limited Equity Housing Cooperatives to convert existing residential buildings to limited-equity housing cooperatives, and making findings including findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

58. 081276 [Real Property Lease Amendment and Sale - 875 Stevenson Street]

Resolution approving a third amendment to the City's lease at 875 Stevenson Street and approving the sale of a portion of Stevenson Street between 9th and 10th Streets to 1355 Market Street Associates, L.P. following the vacation of such portion of Stevenson Street; and finding the sale and improvement of the Stevenson Street Property is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, and is categorically exempt from environmental review under the California Environmental Quality Act.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

59. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

60. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 61 - 66**61. 081411 [Opposing location of proposed Presidio Fine Arts Museum]
Supervisor Peskin**

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

11/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/18/2008, CONTINUED. Continued to November 25, 2008

11/25/2008, ADOPTED.

11/25/2008, PREVIOUS VOTE RESCINDED.

11/25/2008, CONTINUED. Continued to December 9, 2008.

Question: Shall this Resolution be ADOPTED?

**62. 081526 [Requesting California establish a Do Not Mail Registry]
Supervisor Mirkarimi**

Resolution urging the California State Legislature to establish a Do Not Mail Registry.

11/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. 081528 [Mortgage Credit Certificates]**Supervisor Chu**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

11/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 081529 [Accept-Expend Federal Pass Through Grant - Asian Women's Shelter - \$10,000]**Supervisor Chu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$10,000 from the Asian Women's Shelter, allocated through the Office on Violence Against Women, Office of Justice Programs (OVW), to assist Asian and Pacific Islander (API) victims of domestic violence for fiscal year 2008-2010.

11/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

65. 081277 [Final Map - 420-428 Vallejo Street]

Motion approving Final Map 4304, a 5 Unit Residential Condominium Project, located at 420 - 428 Vallejo Street being a subdivision of Lot 013 in Assessors Block No. 0133 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,926; District 3.)

11/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

66. 081354 [Declaration of Election Results - November 4, 2008]**Supervisor Peskin**

Resolution declaring the results of the November 4, 2008 General Election.

12/3/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____.

67. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from November 18, 2008 to December 1, 2008, for reference by President to appropriate committee on December 9, 2008.

- 081535 [Waiver of Administrative Code Sections 6.40 and 6.41 to allow award of agreement for program construction management services without a competitive procurement process]
Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Sections 6.40 and 6.41 to allow award of Agreement No. CS-963, Program Construction Management Services, without a competitive procurement process.
(Public Utilities Commission)

11/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 18, 2008 to December 1, 2008, for reference by President to appropriate committee on December 9, 2008.

- 081484 [WSIP Agreement No. CS-917, San Joaquin Regional Construction Management Services]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute the Water System Improvement Program-funded Professional Service Agreement No. CS-917, San Joaquin Regional Construction Management Services, with PMA Consultants LLC to provide Construction Management Services for the San Joaquin Regional Projects, for an amount not to exceed \$28,000,000, pursuant to San Francisco Charter Section 9.118.
(Public Utilities Commission)

11/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081485 [WSIP Agreement No. CS-765, Parsons Water and Infrastructure]**
Resolution approving Amendment No. 2 to Agreement No. CS-765, San Francisco Water System Improvement Program – Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure.
(Public Utilities Commission)

11/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081536 [WSIP Agreement No. CS-963, Program Construction Management Services]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the Water System Improvement Program-funded Agreement No. CS-963, Program Construction Management Services, with AECOM WATER, for an amount not to exceed \$26,000,000 with a term of up to seven (7) years, pursuant to San Francisco Charter Section 9.118, if the Board of Supervisors has approved an ordinance waiving procurement requirements of San Francisco Administrative Code Sections 6.40 and 6.41, and that ordinance is effective.
(Public Utilities Commission)

11/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081537 [Petitions and Communications]

Petitions and Communications received from November 18, 2008 through December 1, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 9, 2008.

From Office of Economic Analysis, submitting report regarding "SoMa Youth and Family Zone/Mission Housing and PDR Replacement Program" in San Francisco. Files 081332 and 081333. Copy: Land Use Clerk (1)

From Office of the Controller, regarding request for assistance of the Controller's audit management team in evaluating the challenges facing the Immune Enhancement Project. Copy: Supervisor Duffy (2)

From Clerk of the Board, submitting names of departments and agencies that have submitted their conflict of interest code notice: Mayor's Office of Community Investment, Department of Building Inspection-Board of Examiners, Human Rights Commission, Office of Small Business, Treasure Island Development Authority. (3)

From Municipal Transportation Agency (MTA), submitting request for waiver of Administrative Code Chapter 12B to purchase a "Vital Timer Relay Signal & Communication" repair part for the MTA from Safetran Systems Corporation. (4)

From Department of Public Health, submitting request for waiver of Administrative Code Chapter 12B to renew contract for lab tests from Laboratory Corporation of America. (5)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for training services from AVO Training Institute. (6)

From Municipal Transportation Agency, regarding the feasibility of establishing a Stop sign at 16th Avenue and Wawona Street. (7)

From Office of Small Business, submitting notice that David Chiu has resigned from the Small Business Commission, effective November 10, 2008. Copy: Rules Clerk (8)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolio under Treasurer's management. (9)

From Aaron Goodman, submitting support for proposed legislation establishing a requirement for conditional use authorization for change in use or reduction of 15,000 square feet or more of recreational space. File 081202, Land Use Clerk (10)

From Department of Public Works, responding to request to remove graffiti from various locations in District 5. (Reference No. 20080916-005) (11)

From Department of Public Works, responding to request to remove graffiti from various locations in District 5. (Reference No. 20081104-001) (12)

From Department of Public Works, responding to request to remove graffiti from various locations in District 5. (Reference No. 20081028-005) (13)

From concerned citizens, submitting support for community choice energy. Approximately 20 letters (14)

From concerned citizens, submitting support for reform at the San Francisco Zoo. Approximately 80 letters (15)

From concerned citizens, submitting support for restoring Sharp Park. Copy: Approximately 137 letters (16)

From Ugo Nardi, commenting on the relatively high salaries paid to chief executive officers of non-profit organizations. (17)

From Levy, Ram & Olson LLP, requesting immediate notification of any further proceedings/hearings regarding appeal of final negative declaration for property located at 606-624 Divisadero and 1278 Hayes Street. File 050287 (18)

From James Chaffee, commenting that the graphics in public comment were not available in the broadcast record of the (November 18, 2008) meeting on SFGTV or the video-on-demand record of the meeting available on the website archive. (19)

From Fire Department, commenting that the Fire Department has no objections to the proposal and is in support of resolution to rename Chelsea Place to Timothy Pflueger Place. File 081401, Copy: Land Use Clerk, Supervisors Maxwell, Ammiano, Sandoval (20)

From Fire Department, commenting that the Fire Department has no objections to the proposal and is in support of resolution to add the name Harold "Bud" Moose Lane to Merchant Street. File 081402, Copy: Land Use Clerk, Supervisors Maxwell, Ammiano, Sandoval (21)

From Supervisor Ammiano, submitting his resignation from the San Francisco Board of Supervisors, effective December 1, 2008. Copy: Rules Clerk (22)

From Supervisor Ammiano, submitting his resignation from the Golden Gate Bridge Board, effective December 1, 2008. Copy: Clerk of the Board, Rules Clerk, Golden Gate Bridge Board (23)

From Supervisor Ammiano, submitting his resignation from the Metropolitan Transportation Commission, effective December 1, 2008. Copy: Clerk of the Board, Rules Clerk, Metropolitan Transportation Commission (24)

From Supervisor Daly, submitting his resignation from the Association of Bay Area Governments (ABAG) and the Local Agency Formation Commission (LAFCO), effective January 8, 2009. Copy: Clerk of the Board, LAFCO Clerk (25)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests from Supervisor Ammiano, Zach Tuller, Legislative Aide to Supervisor Ammiano, Pilar Schiavo, Legislative Aide to Supervisor Ammiano (26)

From Department of Emergency Management, responding to how the Department of Emergency Management will incorporate the role and expectations of the members of the Board of Supervisors into the City's Emergency Operations Plan. (27)

From Risk Management Program, submitting notice that there were no indemnification agreements approved under by this office for the period of January through October 2008. Copy: Each Supervisor (28)

From Emil Lawrence, submitting application and supporting documents regarding his application for an 1824 Administrative Analyst position. (29)

From Christian Holmer, submitting letter entitled "Sunshine Ordinance Task Force Orders of Determination" regarding outstanding request. (30)

From concerned citizens, submitting support for the integrated development of the Hunters Point Shipyard and Candlestick Point. File 081399, 3 letters (31)

From Emile Lawrence, commenting on the integration of the SF Taxi Commission into the Municipal Transportation Agency. File 081383 (32)

From Ahimsa Porter Sunchai, submitting opposition to the Board of Supervisors signing binding agreements with the Lennar Corporation. (33)

From Kenny Cowan, regarding the alleged misuse of "White Zones" on Fulton Street between Gough and Franklin. Copy: Each Supervisor (34)

From Diana Verhalen, regarding proposed legislation that limits the use of City funds for non-profit executive director salaries. File 080846 (35)

From concerned citizens, submitting opposition to the combustion turbine peaker project. 3 letters (36)

From concerned citizens, regarding the below market rate condominium conversion program. File 080520, Land Use Clerk, 2 letters (37)

From John Nelson, submitting support for the Community Justice Center. (38)

From Eric, regarding the use of plastic bags at the Gap. (39)

From Robert Allen, submitting support for merging BART and Caltrain into a single 5-county San Francisco Bay Rail District. Copy: Each Supervisor (40)

From Alex von Hauflfe, regarding the lack of street cleaning on 8th Avenue in the Richmond District. (41)

From concerned citizens, submitting opposition to the Presidio's plan to build a large contemporary art museum and hotel in the Presidio. 3 letters (42)

From George Meserve, regarding why he will not visit San Francisco anymore. (43)

From Bernard Choden, regarding the Housing Element review. (44)

From Peter Goggin, submitting opposition to removing the middle income-housing alternative in the Mission District. File 081470 (45)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

**City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors**

General Notice

Transmitted: 12/05/08

A public hearing will be held on 12/16/08 at 4:30 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Comments may be mailed to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Documents relating to this matter are also available for inspection at the address above.

FILE NO. 081530

Appeal of Determination of Exemption from Environmental Review for 2626 Filbert Street

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated August 26, 2008, that a project at 2626 Filbert Street (Case No. 2007.1478E), is exempt from environmental review under Categorical Exemption, Classes 1 and 3 [State CEQA Guidelines Sections 15301(1)(1) and 15303(a)]. The proposal would demolish an existing building and construct a new three-story-over-basement single-family residence with two off-street parking spaces located at the ground floor in an RH-1 (Residential House, One-Family) District, and a 40-X Height and Bulk District (Assessor's Block 0943, Lot 003B). (Appellants: Brooke Sampson and Lori Brooke on behalf of the Cow Hollow Association, Inc.)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

GOVERNMENT
DOCUMENTS DEPT

DEC - 8 2008

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, December 16, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

4-00 PM
GOVERNMENT
DOCUMENTS DEPT

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Campos, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the November 4, 2008 and November 18, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Mirkarimi

1. 081283 [Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]
Supervisor Mirkarimi
Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

11/25/2008, CONTINUED ON FIRST READING. Continued to December 9, 2008.

12/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/9/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

2. 081499 [Accept and Expend FY 08 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$29,724,000]
Supervisor Alioto-Pier
Ordinance authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$29,724,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions in the Department of Emergency Management.

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 081500 [Obtain, Accept and Expend Federal Interoperable Emergency Communications Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$1,374,422]
Supervisor Alioto-Pier
Ordinance authorizing the Department of Emergency Management (DEM), as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to obtain, accept and expend an Interoperable Emergency Communications Program Grant (IECGP) award in the amount of \$1,374,422 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for the period October 6, 2008 to May 31, 2010, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one grant-funded position (0.50 FTE - 0931 Manager III) in the Department of Emergency Management.

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Campos

4. 081443 [Annual Contributions to the San Francisco Self-Insurance Surety Bond Fund]
Supervisors Maxwell, Alioto-Pier, Daly, Duffy, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos
Ordinance amending the San Francisco Bonding and Financial Assistance Program to require annual contributions to the San Francisco Self-Insurance Surety Bond Fund.
(Fiscal Impact.)

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 081444 [Establishing the San Francisco Self-Insurance Surety Bond Fund and Setting Standards Governing Deposits into the Fund]
Supervisors Maxwell, Alioto-Pier, Daly, Duffy, Sandoval, Elsbernd, Mirkarimi, Peskin, Campos
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-317, establishing the San Francisco Self-Insurance Surety Bond Fund, contributions thereto, and use of said Fund.
(Fiscal Impact.)

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present Supervisors Chu, McGoldrick, Elsbernd

6. 081009 **[Prohibiting smoking in taxicabs and motor vehicles for hire and free distribution of tobacco products and accessories in places open to the public]**
Supervisor Maxwell
Ordinance amending the San Francisco Health Code by amending Section 1009.22 and amending the San Francisco Police Code by amending Section 1143 and repealing Sections 53, 53.1, and 1098, to prohibit smoking in taxicabs and other motor vehicles for hire, and amending San Francisco Police Code Section 95, to prohibit the free distribution of tobacco products and accessories in places open to the public
- 12/9/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 081250 **[Massage practitioner requirements]**
Supervisor Dufty
Ordinance amending Section 1902 of the San Francisco Health Code by changing the requirement that massage practitioners obtain a certificate of graduation to a certificate of completion verifying at least 100 hours of massage instruction.
- 12/9/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 081379 **[Accept gift to the Fire Department - \$15,938]**
Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of mask fit equipment and non-permeable emergency medical bags valued at \$15,938.
(Fire Department)
- Question: Shall this Resolution be ADOPTED?**
9. 081441 **[Grant to support Cesar Chavez Street streetscape improvements - \$711,296]**
Supervisor Dufty
Resolution authorizing the San Francisco Planning Department to accept and expend \$711,296 from the California Department of Housing and Community Development for pedestrian safety, traffic calming, and stormwater improvements along Cesar Chavez Street.
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

10. 081100 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in the NC-2 and NC-3 Designated Parcels fronting Mission Street, from Silver Avenue to the Daly City border]

Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the Neighborhood Commercial Districts; amending Sections 703.1, 710.1, 711.1, 712.1, 713.1, 715.1, 716.1, 717.1, 718.1, 719.1, 720.1, 721.1, 723.1, 724.1, 725.1, 726.1, 727.1, 728.1, 729.1, 730.1, 731.1, 732.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/7/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

11. 081477 [Settlement of Lawsuit - Laurent Katgely, et al. v. CCSF, et al. (C. Spencer) - \$67,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Chez Spencer, a partnership, against the City and County of San Francisco for \$67,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436942; entitled Laurent Katgely, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 081478 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (IMG Home) - \$500,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by IMG Home Corporation against the City and County of San Francisco for \$500,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 081479 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (N. Quimson) - \$45,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Noreen Quimson against the City and County of San Francisco for \$45,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 081480 [Settlement of Claim - SFD Union Square, LLC - \$40,000]
Resolution approving the settlement of unlitigated claim of SFD Union Square, LLC dba Sir Francis Drake Hotel against San Francisco for \$40,000; claim was filed on August 25, 2008.
(City Attorney)
- Question: Shall this Resolution be ADOPTED?
15. 081501 [Settlement of Administrative Civil Liability Complaint - \$64,000]
Supervisor Peskin
Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$64,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$32,000, plus payment of a \$32,000 penalty.
- Question: Shall this Resolution be ADOPTED?
16. 081112 [Appointment, Biodiesel Access Task Force - Shannon Devine]
Motion appointing Shannon Devine, term ending December 31, 2009, to the Biodiesel Access Task Force.
- Question: Shall this Motion be APPROVED?
17. 081426 [Appointments, Market and Octavia Community Advisory Committee - Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Katherine Hodge]
Motion appointing Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Katherine Hodge, for two-year terms, to the Market and Octavia Community Advisory Committee.
- Question: Shall this Motion be APPROVED?
18. 081427 [Appointments, Ballot Simplification Committee - June Fraps, Betty Packard and Adele Fasick]
Motion appointing June Fraps, Betty Packard and Adele Fasick, terms ending November 30, 2010, to the Ballot Simplification Committee.
- Question: Shall this Motion be APPROVED?
19. 081431 [Appointments, Urban Forestry Council - John Malcolm Hillan and Jocelyn Cohen]
Motion appointing John Malcolm Hillan and Jocelyn Cohen, terms ending November 18, 2010, to the Urban Forestry Council.
- Question: Shall this Motion be APPROVED?
20. 081483 [Appointment, Immigrant Rights Commission - Ana Perez]
Motion appointing Ana Perez, term ending June 6, 2009, to the Immigrant Rights Commission, residency requirement waived.
- Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance, which would prohibit general advertising on City buildings and street furniture.

21. 080658 [General advertising on City buildings and street furniture]

Supervisor McGoldrick

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 5, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 4, 2009.

9/16/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

11/4/2008, CONTINUED. Continued to November 18, 2008

11/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/18/2008, PASSED ON FIRST READING AS AMENDED.

11/25/2008, FINALLY PASSED.

Action: _____

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi

22. 081449 **[Changes to the Payroll Expense Tax exclusion for clean energy technology businesses]**
Supervisor McGoldrick
Ordinance amending San Francisco Business and Tax Regulations Code by amending Article 12-A, Section 906.2 to expand eligibility for the clean technology payroll tax exclusion to include solar panel and other clean technology research and development-related businesses, and to include businesses with fewer than ten employees.
- 12/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
12/9/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
23. 081453 **[Appropriating \$1,923,629,194 of Water Revenue Bond proceeds for the Water System Improvement Program in the Public Utilities Commission for Fiscal Year 2008-2009]**
Mayor
Ordinance appropriating \$1,923,629,194 of San Francisco Water Revenue Bond authorized in 2002 to fund construction and financing costs for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for Fiscal Year 2008-2009, placing the entire appropriation by project on Controller's reserve subject to SFPUC and Board of Supervisors' discretionary approvals following completion of project-related analysis pursuant to California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, adopting environmental findings, placing on Budget and Finance Committee reserve any project in excess of \$100,000,000 and authorizing the increase of the Water Commercial Paper Program from \$250,000,000 to \$500,000,000 to facilitate projected WSIP financing needs.
(Fiscal Impact.)
- 12/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
12/9/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
24. 081440 **[De-Appropriating \$998,145 of General Fund and \$761,021 of Federal Direct Grant Revenue for the Community Justice Center for FY 2008-2009]**
Supervisors Daly, McGoldrick
Ordinance de-appropriating \$998,145 of General Fund in the Mayor's Office of Community Justice and \$761,021 of Federal Direct Grant Revenue in the Department of Public Health for the Community Justice Center in Fiscal Year 2008-2009.
(Fiscal Impact.)
(Supervisor Elsbernd dissented in committee.)

12/9/2008, CONTINUED ON FIRST READING. Supervisor Sandoval was previously excused from voting on this matter.

Continued to December 16, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Campos

25. 081450 [Real Property Transfer Tax - Change of delinquency date; substitution of references to current laws; conform partnership rule to state law changes; elimination of tax stamp provision and Transfer Tax Review Board]

Supervisor Peskin

Ordinance amending Sections 1106, 1108, 1108.4, 1115, 1115.1 and 1115.3 and deleting Sections 1109, and 1115.2 of Article 12-C of the Business and Tax Regulations Code to (1) change delinquency date; (2) replace references to prior bankruptcy, income tax, and local laws with references to current laws; (3) conform rule for partnership interest transfers to state law changes; (4) eliminate obsolete provision regarding documentary tax stamps; and (5) eliminate Transfer Tax Board of Review and references to that Board.

12/9/2008, CONTINUED ON FIRST READING. Continued to December 16, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 081451 [Property Tax Refund Claim Processing]

Supervisor Peskin

Ordinance to amend Administrative Code Section 10.2 to delegate to City Attorney the authority to grant or deny property tax refund claims and to establish administrative rules and procedures for City Attorney to follow.

12/9/2008, CONTINUED ON FIRST READING. Continued to December 16, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

**27. 080520 [Below Market Rate Condominium Conversion Program]
Mayor, Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations and the provisions relating to Original Subdividers who rent their Units; providing for alternatives for compliance with the ordinance; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA).

Supervisor Sandoval dissented in Committee.

12/9/2008, PASSED ON FIRST READING.

12/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/9/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Sandoval, Peskin

**28. 081513 [Limited Equity Housing Cooperative Conversions]
Supervisors Peskin, Mirkarimi**

Ordinance amending the Subdivision Code by adding Article 11, consisting of Sections 1399.1 through 1399.22, to create a method for Limited Equity Housing Cooperatives to convert existing residential buildings to limited-equity housing cooperatives, and making findings including findings under the California Environmental Quality Act.

12/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Mirkarimi requested to be added as a co-sponsor.

12/9/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Board

29. 081589 [Eastern Neighborhoods Zoning Map - Height District for Mission Street theater properties]
Ordinance amending the San Francisco Zoning Map by amending the height district designation for Assessor's Block 3595, Lot 024 on Mission Street between 19th and 20th Streets and Assessor's Block 3616, Lot 007 on Mission Street between 21st and 22nd Streets to 65-X/85-X; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Planning Department)

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, McGoldrick

30. 081088 [Requirement of Conditional Use Authorization for any permit application to remove dwelling units]
Supervisor McGoldrick
Ordinance amending the Planning Code by amending Section 317 to require Conditional Use Authorization for any elimination of existing dwelling units through mergers, conversions, or demolitions of residential units.

12/9/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Daly, Duffy

31. 081230 [Medical Cannabis Dispensary Permits]
Supervisor Daly
Ordinance amending Section 3308 of the San Francisco Health Code to include the installation of platform lifts under the minimum disability access standards for Medical Cannabis Dispensaries.

12/9/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/9/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Murkarimi

32. 081519 [Sale of San Francisco General Hospital Bond Anticipation Notes, Series 2009A - Not to Exceed \$136,000,000]
Mayor
Resolution authorizing and directing the sale of Not to Exceed \$136,000,000 General Obligation Bond Anticipation Notes, Series 2009A in anticipation of the issuance of \$136,000,000 General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2009A; Prescribing the Form and Terms of Said Notes; Providing For the Levy of a Tax To Pay the Interest and, if Applicable, the Principal Thereon; Authorizing the Execution, Authentication and Registration of Said Notes; Providing For the Appointment of Depositories and Other Agents For Said Notes; Providing For the Establishment of Accounts Related Thereto; Providing For the Manner of Sale of Said Notes, Whether By Competitive Sale or Negotiated Sale; Approving the Forms of Official Notice of Sale and Notice of Intention To Sell Notes; Directing the Publication of the Notice of Intention To Sell Notes; Approving the Form and Execution of the Note Purchase Agreement for the Sale of Said Notes; Approving the Form and Execution of the Official Statement Relating to the Sale of Said Notes; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications To Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority To City Officials To Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Notes.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

33. 081520 [San Francisco General Hospital General Obligation Bond Issuance - Not to Exceed \$887,400,000]
Mayor
Resolution Providing for the Issuance of Not to Exceed \$887,400,000 Aggregate Principal Amount of City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008); Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Levy of a Tax to Pay the Principal and Interest Thereof; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing for the Establishment of Accounts Related Thereto; Ratifying Certain Actions Previously Taken; Adopting Findings Under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, Including the Adoption of a Mitigation Monitoring and Reporting Program and a Statement Of Overriding Considerations; Finding that the Proposed Project Is In Conformity With the Priority Policies Of Planning Code Section 101.1(B) and With the General Plan Consistency Requirement Of Charter Section 4.105 and Administrative Code Section 2A.53; and Granting General Authority to City Officials to Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Bonds.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

34. 081521 [Bond Sale of San Francisco General Hospital Improvement Bonds - Not To Exceed \$136,000,000]
Mayor
Resolution Authorizing and Directing the Sale of Not To Exceed \$136,000,000 General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2009A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing For the Appointment of Depositories and Other Agents For Said Bonds; Providing For the Establishment of Accounts Related Thereto; Providing For the Manner of Sale of Said Bonds, Whether by Competitive Sale or Negotiated Sale; Approving the Forms of Official Notice of Sale and Notice of Intention To Sell Bonds; Directing the Publication of the Notice of Intention To Sell Bonds; Approving the Form and Execution of the Bond Purchase Agreement Relating Thereto; Approving the Form and Execution of the Official Statement Relating To the Sale of Said Bonds; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications To Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority To City Officials To Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Bonds. (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

35. 081522 [Appropriating \$136,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for Fiscal Year 2008-2009]
Mayor
Ordinance appropriating \$136,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for Fiscal Year 2008-2009. (Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 081523 [General Obligation Bond Short-Term Indebtedness]
Mayor
Ordinance amending the San Francisco Administrative Code by adding Article 43.11, Sections 43.11.1 through 43.11.5, to authorize the issuance of short-term indebtedness in anticipation of the issuance of general obligation bonds authorized by the voters. (Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 081507 [Accept-Expend Federal Grant and amend Annual Salary Ordinance, FY 2008-2009 \$1,024,467.00]
Supervisor Elsbernd
Ordinance authorizing the Police Department to retroactively accept and expend grant funding in the amount of \$1,024,467.00 from the National Institute of Justice for a program entitled "NIJ's 2008 Forensic DNA Unit Efficiency Improvement Program," and amending the Annual Salary Ordinance to create grant-funded positions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 081417 [Purchase of Real Property located at 5027-5033 Third Street, San Francisco for the Public Library]
Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Dung Wong and Pearl Yee Wong, husband and wife, as joint tenants (the "Seller"), for the purchase of real property and improvements located at 5027 - 5033 Third Street, San Francisco, to expand the Bayview/ Anna E. Waden Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act, and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.
(Real Estate Department)
(Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?
39. 081484 [WSIP Agreement No. CS-917, San Joaquin Regional Construction Management Services - Not to Exceed \$28,000,000]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute the Water System Improvement Program funded Professional Service Agreement No. CS 917, San Joaquin Regional Construction Management Services, with PMA Consultants LLC to provide Construction Management Services for the San Joaquin Regional Projects, for an amount not to exceed \$28,000,000, pursuant to San Francisco Charter Section 9.118.
(Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?
40. 081518 [Lease Financing For Library Projects]
Mayor
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco Finance Corporation lease revenue bonds and authorizing the preparation, execution and delivery of a final official statement, ratifying the approvals and terms and conditions of a previous ordinance, and related matters.
- Question: Shall this Resolution be ADOPTED?
41. 081524 [Accept-Expend Federal Regional Catastrophic Preparedness Grants - \$10,000,000]
Mayor
Resolution authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program awards in the amount of \$10,000,000 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for regional catastrophic preparedness for the period September 1, 2008 through August 31, 2010.
- Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd

42. 081415 [Approval of Port Lease for TCHO Ventures, Inc. at Pier 17]
Resolution approving Port Commission Lease No. L-14584 with TCHO Ventures, Inc. ("TCHO") for a five (5) year term for certain real property located at Pier 17 in the City and County of San Francisco.
(Port)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

43. 081124 [Prohibiting advertisements for alcoholic beverages on City property]
Supervisors Mirkarimi, McGoldrick
Ordinance amending the San Francisco Administrative Code by amending Section 4.20, to prohibit advertisements for alcoholic beverages on City property.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Campos

44. 081362 [Prevailing wages for (1) workers on public works and improvement projects, (2) workers in theatrical services; (3) workers performing moving services; and (4) workers hauling solid waste.]
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers engaged in theatrical or technical services for shows on property owned by the City; (3) workers performing moving services under City contracts at facilities owned or leased by the City; and (4) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City.
(Civil Service Commission)

Question: Shall this Resolution be ADOPTED?

45. 081514 [Appropriating \$45,000,000 of Certificates of Participation Revenue for the Moscone Center Improvement Project in the Office of the City Administrator for Fiscal Year 2008-2009]
Supervisor Peskin
Ordinance appropriating \$45,000,000 of San Francisco Certificates of Participation (COPs) Series 2009B to fund the Moscone Center Improvement Project in the General Services Agency - Office of the City Administrator for Fiscal Year 2008-2009 and placing these funds on Controller's Reserve pending issuance of the COPs.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 081515 [Lease Financing For Improvements to Moscone Convention Center]**Supervisor Peskin**

Resolution authorizing the execution, delivery and sale of Certificates of Participation (the "Certificates") evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City under a Lease Agreement, for the purpose of financing various capital projects at Moscone Convention Center; approving the form of a Trust Agreement by and between the City and County of San Francisco (the "City") and a corporate trustee to be selected by the City (the "Trustee"); including without limitation certain indemnification obligations of the City contained therein; authorizing the selection of the Trustee; approving the form of a Facilities Lease by and between the City and the Trustee relating to certain real property described herein; approving the form of the Lease Agreement by and between the Trustee and the City relating to said real property; authorizing the payment of costs of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the Certificates, the Trust Agreement, the Facilities Lease and the Lease Agreement; authorizing modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

47. 080872 [Planning - Union Street Neighborhood Commercial District - Full-Service Restaurants]**Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 081125 [Promoting and Sustaining Music and Culture in San Francisco]**Supervisors Mirkarimi, Maxwell**

Ordinance adding Chapter 90A to the San Francisco Administrative Code to establish a music and culture sustainability policy for City government; provide for development by the Entertainment Commission of a proposal for an on-line permitting system for entertainment-related permits, licenses, and determinations; provide for review by the Entertainment Commission of new criteria for entertainment related permits, licenses, and determinations; establish a process coordinated by the Entertainment Commission for reviewing and possibly revising City Codes to conform to and implement the music and culture sustainability policy; urge the Planning Commission to consider amending the General Plan to conform to and implement that policy; and provide for an annual hearing by the Entertainment Commission to review and make recommendations relating to implementation of that policy.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Peskin

49. 081372 [Mission Bay North-Park Parcels NP3, NP4 and NP5 Improvements]
Ordinance designating a portion of State Trust Parcel 1, lying next to the Mission Creek Channel for public open space and park purposes; naming the new park "Mission Creek Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities as public open space and for park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 177,882; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval, Peskin

50. 081280 [Accept and Expend State Coastal Commission Grant Funds - \$185,000]
Supervisor Chu
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a State Coastal Commission Grant in the amount of \$185,000.

Question: Shall this Resolution be ADOPTED?

51. 081284 [Intent to change the name of Avery Street between Post Street and Geary Boulevard to Boswell Way]
Supervisor Mirkarimi
Resolution declaring the Board of Supervisors' intention to change the name of Avery Street between Geary Boulevard and Post Street to Boswell Way in recognition of Reverend Hamilton T. Boswell, the longtime pastor of the Jones Memorial United Methodist Church and advocate for San Francisco's African American community.

Question: Shall this Resolution be ADOPTED?

52. 081327 [Preserving the Francisco Reservoir as public recreation and open space]
Supervisor Alioto-Pier
Resolution declaring the policy of the Board of Supervisors to maintain the Francisco Reservoir as open space and urging the San Francisco Public Utilities Commission, in light of the General Plan designating the property as such, to preserve the property for public recreation and open space.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

53. 081474 [Appointment, Assessment Appeals Board No. 2 - Joseph Tham]
Motion appointing Joseph Tham, term ending September 5, 2011, to the Assessment Appeals Board No. 2.

Question: Shall this Motion be APPROVED?

54. 081475 [Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]
Motion appointing Diane Robinson and Richard Lee, terms ending September 5, 2011, to the Assessment Appeals Board No. 1.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.**55. 081516 [Hearing - Tourism Improvement District]**

Hearing of persons interested in or objecting to proposed Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

Action: _____

56. 081517 [Resolution to Establish the Tourism Improvement District]

Mayor, Supervisor Peskin

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

12/9/2008, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing same title.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

57. 081432 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2655 Scott Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated September 16, 2008, that a project at 2655 Scott Street (Building Permit Application No. 2007.04.18.9061, Case No. 2008.0492D) is exempt from environmental review under Categorical Exemption [State CEQA Guidelines Section 15301 (Class One - Minor Alteration of Existing Facility)]. The proposal would add a vertical addition (partial 4th floor) and fire escapes to a single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 0960, Lot 0010). (Appellants: Stephen M. Williams on behalf of Thomas and Annabel Yasuda)

(Filed November 10, 2008; companion to Files 081433, 081434, 081435; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

58. 081433 **[Affirming the categorical exemption issued for the 2655 Scott Street project]**
Motion affirming the determination by the Planning Department that the 2655 Scott Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

59. 081434 [Disapproving the categorical exemption issued for the 2655 Scott Street project]
Motion disapproving the determination by the Planning Department that the 2655 Scott Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

60. 081435 [Preparation of findings related to the 2655 Scott Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2655 Scott Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

61. 081486 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1864-1868 Green Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 8, 2008, Case No. 2007.05911E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposal would construct a three-story rear yard addition to an existing three-story over basement three-unit residential structure and install a garage in the existing basement, which would require raising the building by 20 inches at property (Assessor's Block 0543, Lot 015) located in a RH-3 (Residential House District, Three-Family) and a 40-X Height and Bulk District. (Appellant: Stephen M. Williams on behalf of Ben and Susan Lee) (Filed 11/17/08; Companion measure to 081487, 081488, 081489; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

62. 081487 [Affirming the categorical exemption issued for the 1864-1868 Green Street project]
Motion affirming the determination by the Planning Department that the 1864-1868 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

63. 081488 [Disapproving the categorical exemption issued for the 1864-1868 Green Street project]
Motion disapproving the determination by the Planning Department that the 1864-1868 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

64. 081489 [Preparation of findings related to the 1864-1868 Green Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1864-1868 Green Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

65. 081530 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2626 Filbert Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated August 26, 2008, that a project at 2626 Filbert Street (Case No. 2007.1478E), is exempt from environmental review under Categorical Exemption, Classes 1 and 3 [State CEQA Guidelines Sections 15301(1)(1) and 15303(a)]. The proposal would demolish an existing building and construct a new three-story-over-basement single-family residence with two off-street parking spaces located at the ground floor in an RH-1 (Residential House, One-Family) District, and a 40-X Height and Bulk District (Assessor's Block 0943, Lot 003B). (Appellants: Brooke Sampson and Lori Brooke on behalf of the Cow Hollow Association, Inc.)
(Filed November 21, 2008; companion to Files 081531, 081532, 081533; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

66. 081531 [Affirming the categorical exemption issued for the 2626 Filbert Street project]
Motion affirming the determination by the Planning Department that the 2626 Filbert Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

67. 081532 [Disapproving the categorical exemption issued for the 2626 Filbert Street project]
Motion disapproving the determination by the Planning Department that the 2626 Filbert Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

68. 081533 [Preparation of findings related to the 2626 Filbert Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2626 Filbert Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Friday, December 12, 2008 at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 16, 2008.

69. 081540 [De-Appropriating \$8,515,891 of General Fund in various Departments related to the projected budget deficit for FY 2008-2009]
Supervisor Peskin
Ordinance deappropriating \$8,515,891 of General Fund, including \$81,522 in the Board of Supervisors, \$2,366,392 in Economic and Workforce Development, \$52,468 in the Department of Emergency Management, \$3,948,326 in Fire Department, \$1,422,554 in the City Administrator's Office, \$83,955 in the Mayor's Office, \$560,674 in the Police Department and \$57,957 in Recreation and Park related to the project budget deficit in Fiscal Year 2008-2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

70. 081555 [Public Employment - Deletion of Positions]
Supervisor Peskin
Draft ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the deletion of 98 positions (26.27 FTE) in various Classes and Departments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Tuesday, December 16, 2008 at 9:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 16, 2008.

71. 081503 [Approval of Fifth Amendment to the Management Agreement for Moscone Convention Center]
Supervisors Chu, Peskin, Dufty
Resolution approving and authorizing the City Administrator to enter into a Fifth Amendment to the Management Agreement for Moscone Convention Center.

Question: Shall this Resolution be ADOPTED?

72. 081576 [Prevailing wages for (1) workers doing janitorial services and (2) workers in public off-street parking lots, garages, or auto storage facilities.]
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for janitorial services; (2) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City.
(Civil Service Commission)

Question: Shall this Resolution be ADOPTED?

DEC 12 2008

COMMITTEE REPORTS*Reports from committees, if any, recommending emergency or urgent measures.*SAN FRANCISCO
PUBLIC LIBRARY

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Friday, December 12, 2008 at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 16, 2008.

69. 081540 [Ordinance amending the Fiscal Year 2008-2009 Annual Appropriation and Annual Salary Ordinance to reflect the Mayor's Mid-Year Adjustment Plan and reducing other selected Department appropriations.]

Supervisor Peskin

Ordinance authorizing the Controller and the Director of Human Resources to amend the Annual Appropriation Ordinance and the Annual Salary Ordinance for Fiscal Year 2008-2009 to reflect the Mayor's Mid-Year Adjustment Plan, and to reduce other selected Department appropriations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

70. 081555 [Public Employment - Deletion of Positions]

Supervisor Peskin

Draft ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance FY 2008-2009) to reflect the deletion of 98 positions (26.27 FTE) in various Classes and Departments.

Question: Shall this Ordinance be FINALLY PASSED?

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Tuesday, December 16, 2008 at 9:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 16, 2008.

71. 081503 [Approval of Fifth Amendment to the Management Agreement for Moscone Convention Center]

Supervisors Chu, Peskin, Dufty

Resolution approving and authorizing the City Administrator to enter into a Fifth Amendment to the Management Agreement for Moscone Convention Center.

Question: Shall this Resolution be ADOPTED?

72. 081576 [Prevailing wages for (1) workers doing janitorial services and (2) workers in public off-street parking lots, garages, or auto storage facilities.]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for janitorial services; (2) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City.
(Civil Service Commission)

Question: Shall this Resolution be ADOPTED?

73. 081452 ["Know your rights" brochure for towing]
Supervisor Peskin
Ordinance adding Section 3055.2 to the San Francisco Police Code to require tow car firms to display "Know Your Rights When Your Car is Towed from Private Property" Brochure and setting administrative penalties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, December 15, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 16, 2008.

74. 081564 [Administrative Code - Amendment to Large Tourist Hotel Conversion Ordinance]
Supervisor Peskin
Ordinance amending Administrative Code Chapter 41F to clarify the scope and implementation of the Large Tourist Hotel Conversion Ordinance, including minor edits to the definition of "Convert" and additional guidance regarding the conversion process for Large Tourist Hotels Rooms, and making required findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

75. 081398 [Agreement to modify an existing Municipal Railway Easement for the J-Church line]
Supervisor Dufty
Resolution approving and authorizing agreements for the modification of an existing MUNI easement in exchange for fee interest in a portion of the original easement area and rail transit improvements for the J-Church line at 21st Street and Chattanooga Street; adopting findings that the agreements are exempt from Environmental Review and are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Executive Director/CEO of the San Francisco Municipal Transportation Agency and the Director of Property to execute documents and take certain actions in furtherance of this resolution.

Question: Shall this Resolution be ADOPTED?

76. 081401 [Street Name Change to Timothy Pflueger Place]
Supervisor Peskin
Resolution changing the name of Chelsea Place in the downtown district to "Timothy Pflueger Place," in recognition of Timothy Pflueger's many contributions to the City of San Francisco.

Question: Shall this Resolution be ADOPTED?

77. 081502 [Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project]
Supervisor McGoldrick
Resolution approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.

12/9/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.

Question: Shall this Resolution be ADOPTED?

78. 081562 [Establishing City policy supporting Smart Grid technology and protocols for City electric systems]
Supervisor Peskin
Resolution establishing City policy supporting Smart Grid technology and protocols for City electric systems and urging the Public Utilities Commission to prepare a study to identify the most effective and economic means to implement smart grid technology.

Question: Shall this Resolution be ADOPTED?

79. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

80. 081575 [Board of Supervisors Seniority]
Lottery to determine the seniority of the new members of the Board of Supervisors to be scheduled at the Tuesday, December 16, 2009 Board meeting.
(Clerk of the Board)

Action: _____

81. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 82-90

82. 081526 [Requesting California establish a Do Not Mail Registry]
Supervisors Mirkarimi, Dufty
Resolution urging the California State Legislature to establish a Do Not Mail Registry.

11/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/9/2008, CONTINUED. Continued to December 16, 2008.

Question: Shall this Resolution be ADOPTED?

83. 081567 [Commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco]
Supervisor Dufty
Resolution commending Gerald H. Bibelheimer and his stellar work as a Social Worker throughout the City and County of San Francisco for the past 20 years.
- 12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
84. 081568 [Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market]
Supervisor Dufty
Resolution to commend the 5th Anniversary of the opening of the Noe Valley Farmers' Market.
- 12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
85. 081569 [Honoring Rodel Rodis for sixteen years of service to City College of San Francisco]
Supervisor Dufty
Resolution honoring Rodel Rodis for sixteen years of service to City College of San Francisco.
- 12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
86. 081570 [Honoring Scott Hall and the Gay American Heroes]
Supervisors Dufty, Campos
Resolution honoring Scott Hall and the Gay American Heroes
- 12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
87. 081571 [Supporting the public process in development of the master plan for Ocean Beach]
Supervisors Chu, McGoldrick, Elsbernd
Resolution supporting the public process of the development of the master plan for Ocean Beach.
- 12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
88. 081572 [Commemorating 65th anniversary of repeal of 1882 Chinese Exclusion Act]
Supervisors Chu, Mirkarimi, Maxwell
Resolution commemorating December 17, 2008 as the 65th Anniversary of the repeal of the 1882 Chinese Exclusion Act, which was the first significant restriction on free immigration in United States history.
- 12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

89. 081391 [Final Map - Hudson Avenue (No Situs)]
Motion approving Final Map 5210, a 7 Lot Subdivision Project, located at Hudson Avenue (No Situs) being a subdivision of Lot 203 in Assessors Block No. 4711 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,959; District 10.)

12/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

90. 081573 [Approving an application form for Boards, Commissions and Committees and specifying a supplemental form for applicants to Reentry Council seats designated for former inmates]
Supervisor Mirkarimi
Motion approving use of designated application form for applicants to Boards, Commissions and Committees and specifying a supplemental application for those seeking the former inmates seats on Reentry Council to ascertain experiential qualifications and avoid unfair stigmatization of the formerly incarcerated applicants.

12/9/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

91. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 2, 2008 to December 8, 2008, for reference by President to appropriate committee on December 16, 2008.

- 081395** [Settlement of Lawsuit - Denise Caicedo - \$47,500.00]
Ordinance authorizing settlement of the lawsuit filed by Denise Caicedo against the City and County of San Francisco for \$47,500.00; the lawsuit was filed on September 22, 2006 in Superior, Case No. 456-426; entitled Denise Caicedo v. City and County of San Francisco, et al.
(City Attorney)

11/24/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 2, 2008 to December 8, 2008, for reference by President to appropriate committee on December 16, 2008.

- 081445** [Public Defender Requisition Request]
Resolution granting the Office of the Public Defender's requisitions # P8023/1103021 and P8024/1103124.
(Public Defender)
- 081468** [Emergency contract to design and install new, compliant emergency electrical generation system at San Francisco General Hospital]
Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent emergency electrical generation system at San Francisco General Hospital.
(Public Works Department)
- 081502** [Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project] Supervisor McGoldrick
Resolution approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.

12/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

11/25/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/9/2008, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.

12/9/2008, ASSIGNED to Land Use and Economic Development Committee.

081590 [Petitions and Communications]

Petitions and Communications received from December 2, 2008 through December 8, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 16, 2008.

From Police Department, notifying the Board of Supervisors that the Police Department has been enforcing Article 17 2, Section 1320.10.2 prohibiting mobile catering trucks from operating within 1500 feet of public schools. Copy: Each Supervisor, Clerk of the Board (1)

From Office of the Mayor, submitting appointment of David Campos to the vacant seat in District 9, Board of Supervisors. (2)

From Office of the Mayor, submitting veto letter for File 080658, which prohibit the City from placing new advertising on street furniture that could generate much needed funding for city services. Copy: Each Supervisor, City Attorney (3)

From Clerk of the Board, submitting names of the City departments and agencies that have submitted their conflict of interest code: Public Defender, Arts Commission. (4)

From Clerk of the Board, submitting notice that the following individual has submitted a Form 700 Statement of Economic Interests: Alexa Delwiche, Legislative Analyst. (5)

From Human Services Agency, submitting request for waiver of Administrative Code Chapter 12B to renew lease with Neopost for posting machines. (6)

From Municipal Transportation Agency, regarding status of leveraged lease transactions. (7)

From Office of the Controller, submitting an analysis of hours of operations in the Recreation and Parks Department's recreation facilities. (Reference No. 20080916-007) (8)

From 311 Customer Service Center, regarding impacts of the Outside Lands Music Festival. (Reference Nos. 20080909-012 and 20080909-013) (9)

From Transbay Joint Powers Authority, submitting copy of letter sent to the California High-Speed Rail Authority Board regarding the High Speed Rail Project. (10)

From SF Unified School District, submitting annual report that describes the sufficiency of instructional materials and the condition of facilities in SF Unified School District. (11)

From Office of Economic Analysis, submitting its economic impact report regarding changes to the payroll expense tax exclusion for "clean energy" technology businesses in San Francisco. File 081449, Copy: Budget and Finance Committee (12)

From Office of the Controller, submitting monthly overtime report listing the five City departments using the most overtime in the preceding month. (13)

From Kimo Crossman, submitting copy of letter sent to the Office of the Mayor regarding the State of the City speech on YouTube. (14)

From Administrator, Sunshine Ordinance Task Force, submitting copy of letter sent to constituent regarding audio tape duplication equipment. (15)

From Mission Dolores Neighborhood Association, submitting support for approval of a Conditional Use Authorization for additional parking for the proposed project at 299 Valencia Street. File 081420, Copy: Each Supervisor (16)

From Office of the Director of Real Estate, submitting an update on permit negotiations with the Heart of the City Farmers' Market at UN Plaza. (17)

From State Department of Alcoholic Beverage Control, submitting application for the issuance of request for a liquor license for F & M Smokes at 57 Montgomery Street. Copy: Each Supervisor, Committee Clerk (18)

From concerned citizens, regarding Tom Ammiano's remarks about Alaska Governor Sarah Palin. 2 letters (19)

From Stan & Rosalinda Chaban, submitting opposition for approval of a sidewalk encroachment permit for 133 Stanyan Street. Files 081463, 081464, 081465, Copy: Each Supervisor (20)

From concerned citizens, urging the City and County of San Francisco to restore Sharp Park Golf Course. 16 letters (21)

From Martin Winderl, suggesting some of the personnel and vehicles of the Urban Forestry Department be transferred to the Recreation and Park Department. Copy: Each Supervisor (22)

From Redflex Traffic Systems, submitting copy of letter sent to Municipal Transportation Agency regarding San Francisco's red light camera enforcement program. (23)

From Kenny Cowan, regarding his car that was vandalized on Fulton Street between Gough and Franklin Streets. (24)

From P. Murillo, suggesting that the number of City vehicles taken home by city workers be curtailed regardless of position. (25)

Nelson Castillo, urging the Board of Supervisors not to cut any unit medical clerks or nursing staff at SF General Hospital. (26)

From Beverly Hill, submitting support for reform at the San Francisco Zoo. (27)

From Jason Henderson, requesting a continuance of the appeal for 299 Valencia Street. (28)

From Stephen Williams, requesting the appeal of Categorical Exemption from Environmental Review for 1864-1868 Green Street be withdrawn. (29)

From Department of Public Works, submitting status report on removing graffiti from private property at various locations in District 5. (Reference No. 20080909-003) (30)

From Steven Foon, submitting opposition to the Presidio's plan to build a large contemporary art museum and hotel in the Presidio. File 081411, Copy: Each Supervisor (31)

From Eduardo Francisco, regarding the increase of shoppers entering stores where food items are sold accompanied by their pets. (32)

From concerned citizens, submitting opposition to proposed toll to enter and leave some areas of San Francisco. File 081281, Copy: Each Supervisor, 3 letters (33)

From Joe Arellano, submitting press release announcing Mayor Newsom's first interactive "State of the City" speech. (34)

From Mayor's Education Advisor, regarding a Lowell High School parents concerns and frustrations with the grades his son received in school for being absent. (35)

From Giselle Kruger, inquiring about the new transit mandate passed in August 2008. File 080830 (36)

From Ann Lehman, regarding proposed legislation that limits the use of City funds for non-profit executive director salaries. File 080846, Copy: Each Supervisor (37)

From Michael Kinomoto, submitting opposition to the combustion turbine peaker project. (38)

From Richard Midgett, inquiring if the City and County have a policy that would allow them to remove a tenant who is already disabled from a unit and upon that unit being remodeled allow another "more disabled" tenant to occupy that same space from a prior disabled tenant. Copy: Department of Housing (39)

From Don Fontaine, submitting support to save access to San Francisco Cable Channel 29. (40)

From US Army Corps of Engineers, submitting SF District Public Notice regarding a seasonal road crossing on the Russian River. (41)

From Department of Elections, submitting the Voter Information Pamphlet, which contains the Charter Amendments, ratified by the voters of San Francisco on November 4, 2008 as Propositions D, E, G and J. File 081354 (42)

ADJOURNMENT

